

IN RE: PETITION FOR VARIANCE
NE/S Reisterstown Road, 131.5'E
of the c/l of High Falcon Road
(11405 Reisterstown Road)
4th Election District
3rd Councilmanic District

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 97-84-A

John R. W. Seymour, Sole Remaining Trustee of the Mary J. Seymour
Marital Trust and the John W. Seymour Residuary Trust - Owners;
and Colonial Stoler Partnership, Contract Purchasers - Petitioners

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a
Petition for Variance for that property known as 11405 Reisterstown Road,
located in the vicinity of Delight Road in Reisterstown. The Petition was
filed by the owners of the property, the Mary J. Seymour Marital Trust and
the John W. Seymour Residuary Trust, through John R. W. Seymour, the Sole
Remaining Trustee, and the Contract Lessees, Colonial Stoler Partnership,
by Leonard Stoler, through their attorney, Marvin I. Singer, Esquire. The
Petitioners seek relief from Section 413.2.f of the Baltimore County Zoning
Regulations (B.C.Z.R.) to permit a double-faced, illuminated business sign
of 160 sq.ft. total (80 sq.ft. per side) in lieu of the maximum permitted
100 sq.ft. The subject property and relief requested are more particularly
described on the site plan submitted which was accepted and marked into
evidence as Petitioner's Exhibit 10.

Appearing at the hearing on behalf of the Petition were Leonard
Stoler, Contract Lessee, Edwin Howe, Professional Engineer with KCW Consul-
tants, Inc., who prepared the site plan for this property, and Marvin I.
Singer, Esquire, attorney for the Petitioners. Appearing as a Protestant
in the matter was Dennis R. Orr, a nearby resident of the area.

Testimony and evidence offered revealed that the subject property
consists of a gross area of 1.8 acres, more or less, split zoned B.R. (1.6

ORDER RECEIVED FOR FILING

Date

By

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acres) and D.R. 16 (0.2 acres). The property is improved with a recently constructed new and used automobile sales and service Mitsubishi dealership operated by Colonial Stoler Partnership. The Petitioners wish to erect a double-faced illuminated business identification sign of 160 sq.ft. total at the entrance to the property to identify the new dealership to passing motorists. On behalf of the request, Mr. Stoler testified concerning the sight distances along Reisterstown Road. He noted that Reisterstown Road rises in elevation on both sides of the subject property and thus, it is difficult for passing motorists to see the dealership when traveling either north or south on Reisterstown Road. Furthermore, Reisterstown Road is a heavily traveled road along which motorists travel in excess of 45 mph. The Petitioners believe the size of the proposed sign is necessary at this location in order to adequately identify the new dealership. Mr. Stoler also testified that the La Z Boy Store located immediately north of the subject site impedes the visibility of the dealership in that it is located at a higher elevation and sits closer to Reisterstown Road. Mr. Stoler testified that this is the only freestanding sign proposed for this site and that given the sight distances associated with this property and the topography of the road at this location, the sign should be permitted. Furthermore, the many photographs submitted into evidence by the Petitioners show that this new dealership is very attractive in appearance. The Petitioners have indicated that they have no intention of cluttering the property with signage other than the proposed sign and the signs located on the front facade of the building. Mr. Stoler conceded, however, that he will probably place a small service entrance sign on the building to identify the automotive service area to customers.

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Date 1/15/96
By [Signature]

As noted above, Mr. Dennis Orr, a nearby resident of the area, appeared in opposition to the Petitioners' request. Mr. Orr testified that he is concerned over the proliferation of signs along Reisterstown Road. He believes that Reisterstown Road is becoming similar to Ritchie Highway as far as signs are concerned. Mr. Orr also believes that an individual seeking to purchase a Mitsubishi automobile will know the location of this business and will not necessarily be attracted by the proposed sign. Furthermore, he believes a smaller sign than the 8' x 10' sign proposed would be adequate to identify the subject property.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony and evidence presented, I am persuaded to grant the variance. Given the sight distances associated with this property, both from the north and south directions, as well as the change in topography at this location, I believe the size of the

proposed sign is appropriate in this instance. As noted above, it is the only freestanding sign proposed for this dealership and no other signs are proposed, but for the signs on the front of the building itself, and a small service entrance sign. Otherwise, the property is attractive and neat in its appearance as there are no banners, streamers, balloons or inflatable devices at this location. Furthermore, the image of the sign the Petitioners have chosen is simple, showing only the Mitsubishi symbol and the words Mitsubishi Motors. This sign should not be distracting to passing motorists except for those wishing to locate the Mitsubishi dealership. In the opinion of this Deputy Zoning Commissioner, the relief requested will not be detrimental to the public health, safety or general welfare and meets the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 24th day of October, 1996 that the Petition for Variance seeking relief from Section 413.2.f of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a double-faced, illuminated business sign of 160 sq.ft. total (80 sq.ft. per side) in lieu of the maximum permitted 100 sq.ft., in accordance with Petitioner's Exhibit 10, be and is hereby GRANTED, subject to the following restrictions:

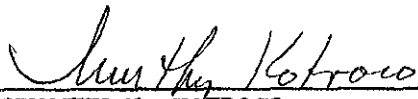
- 1) The Petitioners may apply for their sign permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) There shall be no banners, streamers, balloons, or other inflatable devices on the subject property.

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10/24/96
[Signature]

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3) Except for the sign granted herein, the Petitioners are prohibited from installing any other freestanding signs on the property. However, the existing signs displayed on the front facade of the building and a small service entrance sign proposed to be installed on the building will be permitted.

4) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

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Date

10/24/96

By



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Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

October 24, 1996

Marvin I. Singer, Esquire
343 N. Charles Street
Baltimore, Maryland 21201

RE: PETITION FOR VARIANCE
NE/S Reisterstown Road, 131.5'E of the c/l of High Falcon Road
(11405 Reisterstown Road)
4th Election District - 3rd Councilmanic District
John R. W. Seymour, Sole Remaining Trustee of the Mary J. Seymour
Marital Trust and the John W. Seymour Residuary Trust - Owners;
and Colonial Stoler Partnership, Contract Purchasers - Petitioners
Case No. 97-84-A

Dear Mr. Singer:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. John R. W. Seymour
6999 West Country Club Drive, North, Apt. 222, Sarasota, FL 34243

Mr. Leonard Stoler, Colonial Stoler Partnership
11275 Reisterstown Road, Owings Mills, Md. 21117

Mr. Dennis R. Orr, 28 Kingsley Road, Owings Mills, Md. 21117

People's Counsel; Case File

MICROFILMED



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at Reisterstown and High Falcon Roads

which is presently zoned BR

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

See Attached Statement

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

See Attached Statement

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee.

Colonial Stoler Partnership
(Type or Print Name)

By: Leonard Stoler
Signature LEONARD STOLER

11275 Reisterstown Road
Address
Owings Mills, MD 21117
City State Zipcode

Attorney for Petitioner.

MARVIN I. SINGER
(Type or Print Name)

Marvin I. Singer
Signature
343 North Charles Street 727-4700
Address Phone No.
Baltimore, MD 21201
City State Zipcode

Printed with Soybean Ink
on Recycled Paper

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

John R. W. Seymour, sole remaining Trustee of
the Mary J. Seymour Marital Trust and the
John W. Seymour Residuary Trust

Signature

(Type or Print Name)

Signature
6999 West Country Club
Drive, North, Apt. 222 941-351-3235
Address Phone No.
Sarasota, Florida 34243
City State Zipcode
Name, Address and phone number of representative to be contacted.

Marvin I. Singer
Name
343 North Charles Street 727-4700
Address Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: R.T. DATE 8-19-96

ITEM # 81

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Date

By

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STATEMENT TO ACCOMPANY PETITION FOR ZONING VARIANCE

COLONIAL STOLER PARTNERSHIP

97-84-A

A variance is requested from the following section of the Baltimore County Zoning Regulations:

Section 413.2.f - To permit the erection of a double-faced, illuminated business sign with a size of 160 square feet total area (counting both sides), in lieu of the 100 square feet now permitted.

The variance is requested in order to permit erection of a standardized sign in the format required by the manufacturer, of a type that may be readily and safely seen and identifiable from an adequate distance, giving due consideration to the surrounding area, the topography of the site and of Reisterstown Road. The site is located at the low point between two hills along Reisterstown Road, thereby creating limited sight lines along that major artery.

The larger size (80 square feet per side) is needed to provide adequate visibility for prospective customers. Such variance is required in order to afford relief from undue hardship and practical difficulty. A brand identification sign is required by applicable State regulations in connection with operation of an

ORDER RECEIVED FOR FILING

Date

By

[Signature]

#81

automobile dealership; the absence of which precludes the sale of the identified make of automobile from the subject premises.

The variance is required in order to make reasonable use of the property, and to prevent conformance with the Zoning Regulations from being unnecessarily burdensome.

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#81

LEN STOLER @ HIGH FALCON

97-84-A

ZONING DESCRIPTION

OWNER: JOHN F. W. SEYMOUR AND
J. TEMPLE SMITH, TRUSTEES
22 W. ALLEGHENY AVENUE
TOWSON, MARYLAND 21204
TELEPHONE: (410)

APPLICANT: LEN STOLER, INC.
11275 REISTERSTOWN ROAD
OWINGS MILLS, MARYLAND 21117

PROPERTY LOCATION: 11405 REISTERSTOWN RD.
BALTIMORE, MARYLAND 21117

ELECTION DISTRICT: 4

Beginning with a point $33' \pm$ northeast of center line of the Reisterstown Road an existing 66' right-of-way at a distance of $266' \pm$ northwest of the center line of the intersection of High Falcon road, thence the following courses:

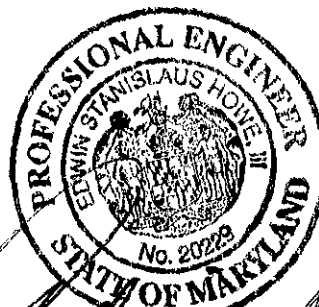
- | | | |
|----|---------------------------|---------|
| 1. | N $39^{\circ} 17' 30''$ E | 241.00' |
| 2. | N $39^{\circ} 17' 30''$ E | 71.60' |
| 3. | S $45^{\circ} 36' 50''$ E | 257.61' |
| 4. | S $44^{\circ} 23' 10''$ W | 30.00' |
| 5. | S $44^{\circ} 23' 10''$ W | 267.95' |
| 6. | N $89^{\circ} 48' 20''$ W | 27.88' |
| 7. | N $43^{\circ} 58' 18''$ W | 209.95' |

To the place of beginning, as recorded in Deed Liber 6124, Page 640.

Containing $1.8 \pm$ Acres.

ITEM # 81

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[Handwritten signature]

96-84-A

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District

4th

Posted for:

OCT. 1, 1996 HEARING

Date of Posting

9/16/96

Petitioner:

SEYMOUR L EAL STOLER

Location of property:

11405 REISTERSTOWN RD

Location of Sign:

11405 REISTERSTOWN RD.

Remarks:

Posted by

Signature

Date of return

Number of Signs:

1

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NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #97-84-A (Item 87)

11405 Reisterstown Road
NEC Reisterstown Road,
131.5' E from Derriford High
Falcon Road
4th Election District
3rd Councilmanic
Legal Owner(s):
John R. W. Seymour, Trust-

ees

Contract Purchaser:
Colonial Sider Partnership
Variance: to permit the erection of a double-faced, illuminated business sign with a size of 180 square feet total area (counting both sides), in lieu of the 100 square feet now permitted.
Hearing: Tuesday, October 1, 1996 at 10:00 a.m. in Rm. 118, Old Courthouse.

LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible for special accommodations Please Call 887-3353.
(2) For information concerning the file and/or Hearing, Please Call 887-3391.

9067 Sept. 5,

080102

CERTIFICATE OF PUBLICATION

TOWSON, MD.,

THIS IS TO CERTIFY, that the annexed advertisement was

published in THE JEFFERSONIAN, a weekly newspaper published

in Towson, Baltimore County, Md., once in each of 1 successive

weeks, the first publication appearing on Sept. 5, 1996.

THE JEFFERSONIAN,

LEGAL AD.-TOWSON

9/10/96

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 020005

97-84

84

DATE 8/20/96 ACCOUNT 001-6150

AMOUNT \$ 620.00 (WCR)

RECEIVED FROM: Romadka, Gontrum & McLaughlin
#040 - SPECIAL HEARING
#050 - SPECIAL EXCEPTION
#080 - SIGN POSTING (2)

DROP-OFF
NO REVIEW

FOR
CSPH +
SPX +
2 KNS

Towson Marketplace

0 569190009WICHRC
BA 0002128PM08-20-96

\$620.00

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

CASE NUMBER: 97-84-A (Item 81)

11405 Reisterstown Road

NE/S Reisterstown Road, 131.5' E from centerline High Falcon Road

Legal Owner(s): John R. W. Seymour, Trustee

Contract Purchaser: Colonial Stoler Partnership

Variance to permit the erection of a double-faced, illuminated business sign with a size of 160 square feet total area (counting both sides), in lieu of the 100 square feet now permitted.

HEARING: TUESDAY, OCTOBER 1, 1996 at 10:00 a.m. in Room 118, Old Courthouse.

Post by: 9/16/96 Marvin I. Singer, Esq. 727-4700

09/15/96
P. 0000
MICROFILMED

ZONING NOTICE

Case # : 97-84-A

A PUBLIC HEARING IS BEING HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD.

PLACE : ROOM 118, OLD COURTHOUSE

TIME & DATE : TUES, OCT. 1, 1996 AT 10:00 A.M.

VARIANCE

TO PERMIT THE ERECTION OF A DOUBLE-FACED, ILLUMINATED
BUSINESS SIGN WITH A SIZE OF 160 SQUARE FEET TOTAL AREA
(COUNTING BOTH SIDES), IN LIEU OF THE 100 SQUARE FEET
NOW PERMITTED.

RETURN SIGN AND POST TO ROOM 100, COUNTY OFFICE BUILDING

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES
NECESSARY TO CONFIRM HEARINGS.
CALL 410-339-1 THE DAY BEFORE THE DATE OF HEARING TO
LEARN IF YOUR HEARING IS POSTPONED.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 81 Petitioner: COLONIAL STOLER PARTNERSHIP

Location: 11405 REISTERSTOWN RD - OWINGS MILLS

PLEASE FORWARD ADVERTISING BILL TO:

NAME: LEN STOLER, INC.

ADDRESS: 11275 REISTERSTOWN ROAD

OWINGS MILLS, MD.

PHONE NUMBER: 356-7000

Plat to accompany Petition for Zoning ☐ Variance ☐ Special Hearing

PROPERTY ADDRESS: _____

see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: _____

plat book # _____, folio # _____, lot # _____, section # _____

OWNER: _____



North

date: _____

prepared by: _____

Scale of Drawing: 1" = _____



North

Vicinity Map
scale: 1"=1000'

LOCATION INFORMATION

Election District: _____

Councilmanic District: _____

1"=200' scale map#: _____

Zoning: _____

Lot size: _____

acreage

square feet

SEWER:

☐☐

public private

WATER:

☐☐

yes no

Chesapeake Bay Critical Area: ☐ ☐

Prior Zoning Hearings: _____

Zoning Office USE ONLY!

reviewed by: _____ ITEM #: _____ CASE #: _____

TO: PUTUXENT PUBLISHING COMPANY
September 5, 1996 Issue - Jeffersonian

Please forward billing to:

Len Stoler, Inc.
11275 Reisterstown Road
Owings Mills, MD 21111
356-7000

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-84-A (Item 81)
11405 Reisterstown Road
NE/S Reisterstown Road, 131.5' E from centerline High Falcon Road
Legal Owner(s): John R. W. Seymour, Trustee
Contract Purchaser: Colonial Stoler Partnership

Variance to permit the erection of a double-faced, illuminated business sign with a size of 160 square feet total area (counting both sides), in lieu of the 100 square feet now permitted.

HEARING: TUESDAY, OCTOBER 1, 1996 at 10:00 a.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

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Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

August 30, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-84-A (Item 81)
11405 Reisterstown Road
NE/S Reisterstown Road, 131.5' E from centerline High Falcon Road
4th Election District - 3rd Councilmanic
Legal Owner(s): John R. W. Seymour, Trustee
Contract Purchaser: Colonial Stoler Partnership

Variance to permit the erection of a double-faced, illuminated business sign with a size of 160 square feet total area (counting both sides), in lieu of the 100 square feet now permitted.

HEARING: TUESDAY, OCTOBER 1, 1996 at 10:00 a.m. in Room 118, Old Courthouse.

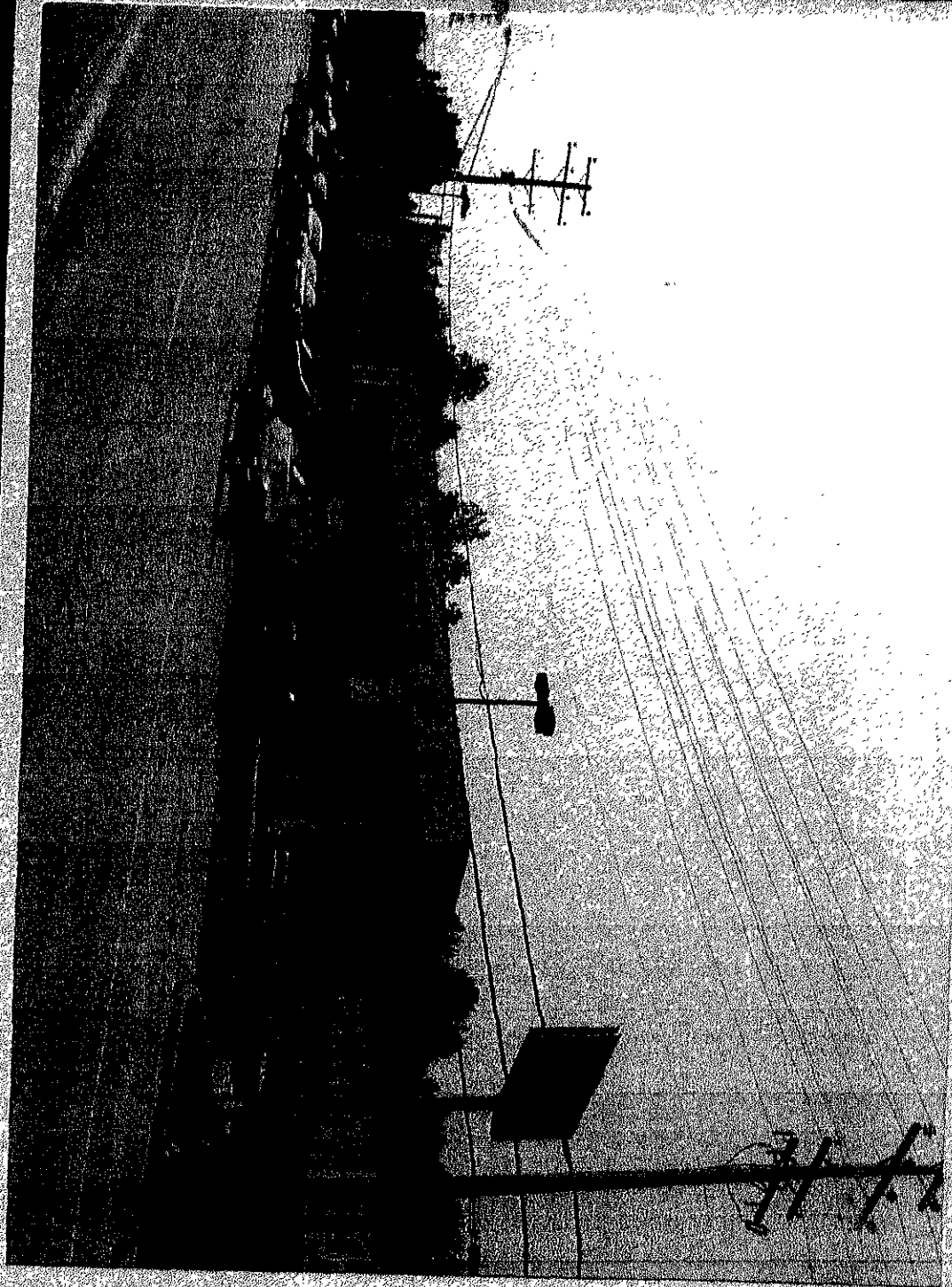
A handwritten signature in cursive script, appearing to read "Arnold Jablon".

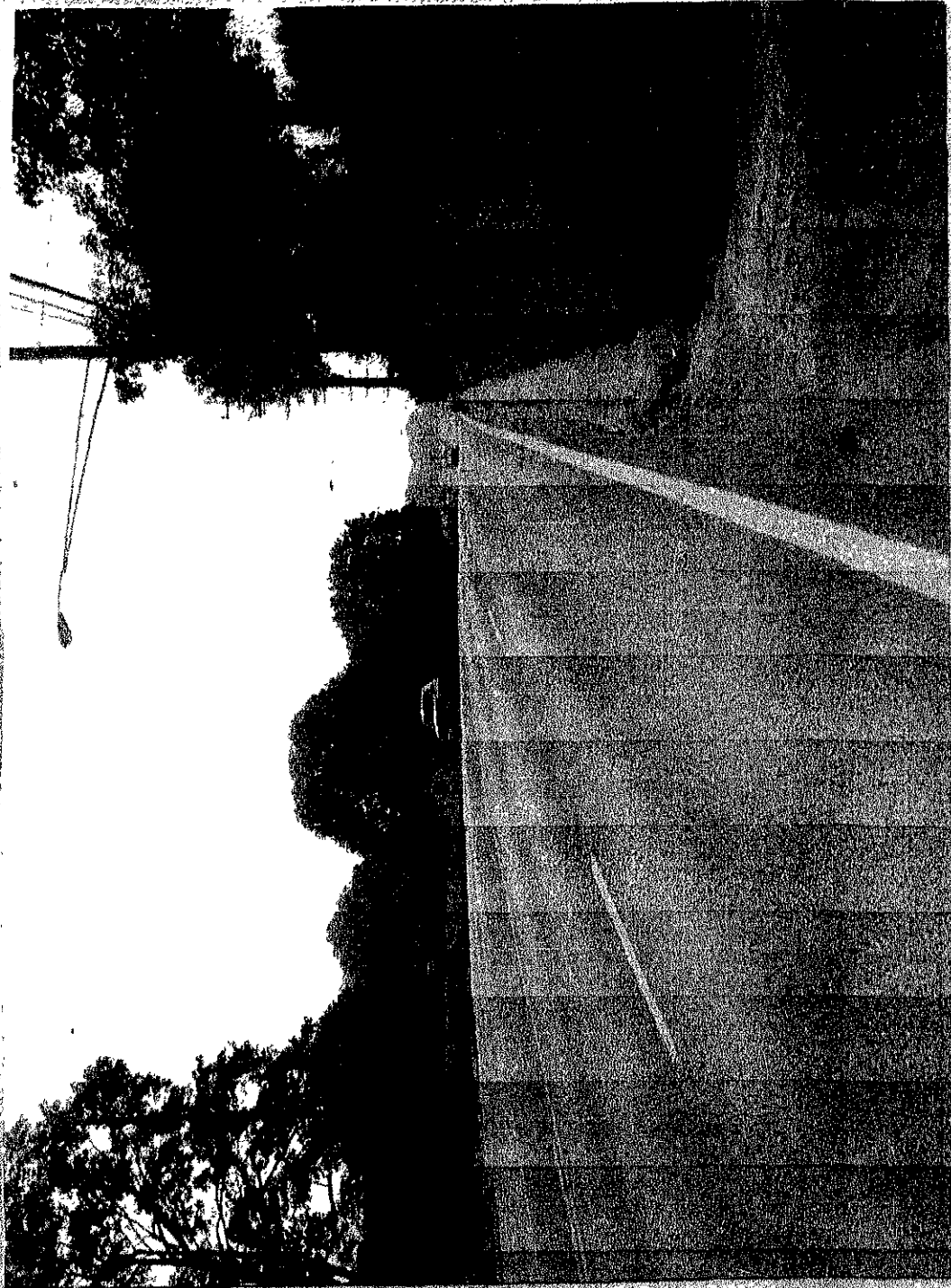
Arnold Jablon
Director

cc: John R. W. Seymour
Colonial Stoler Partnership
Marvin I. Singer

- NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

MICROFILMED





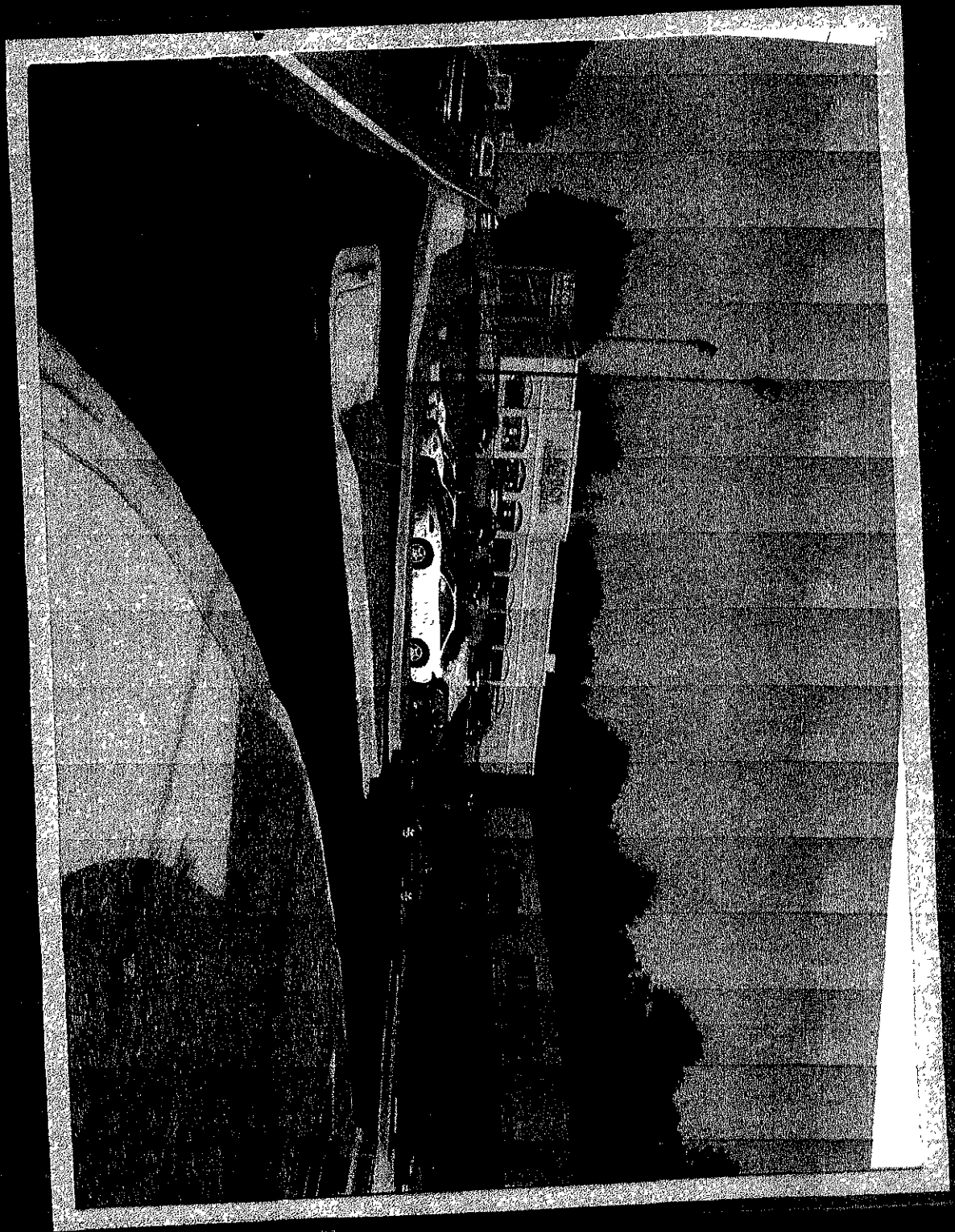


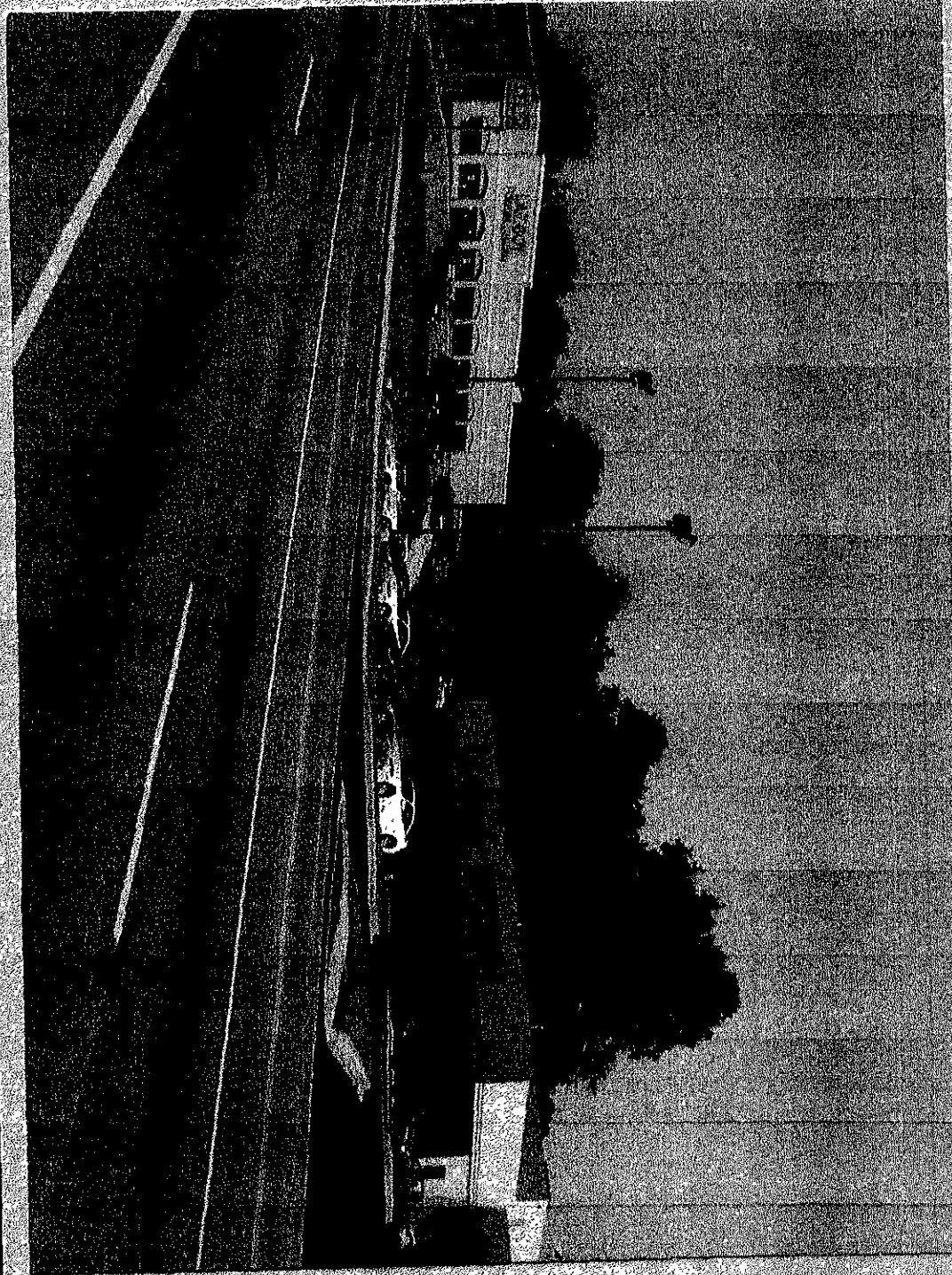


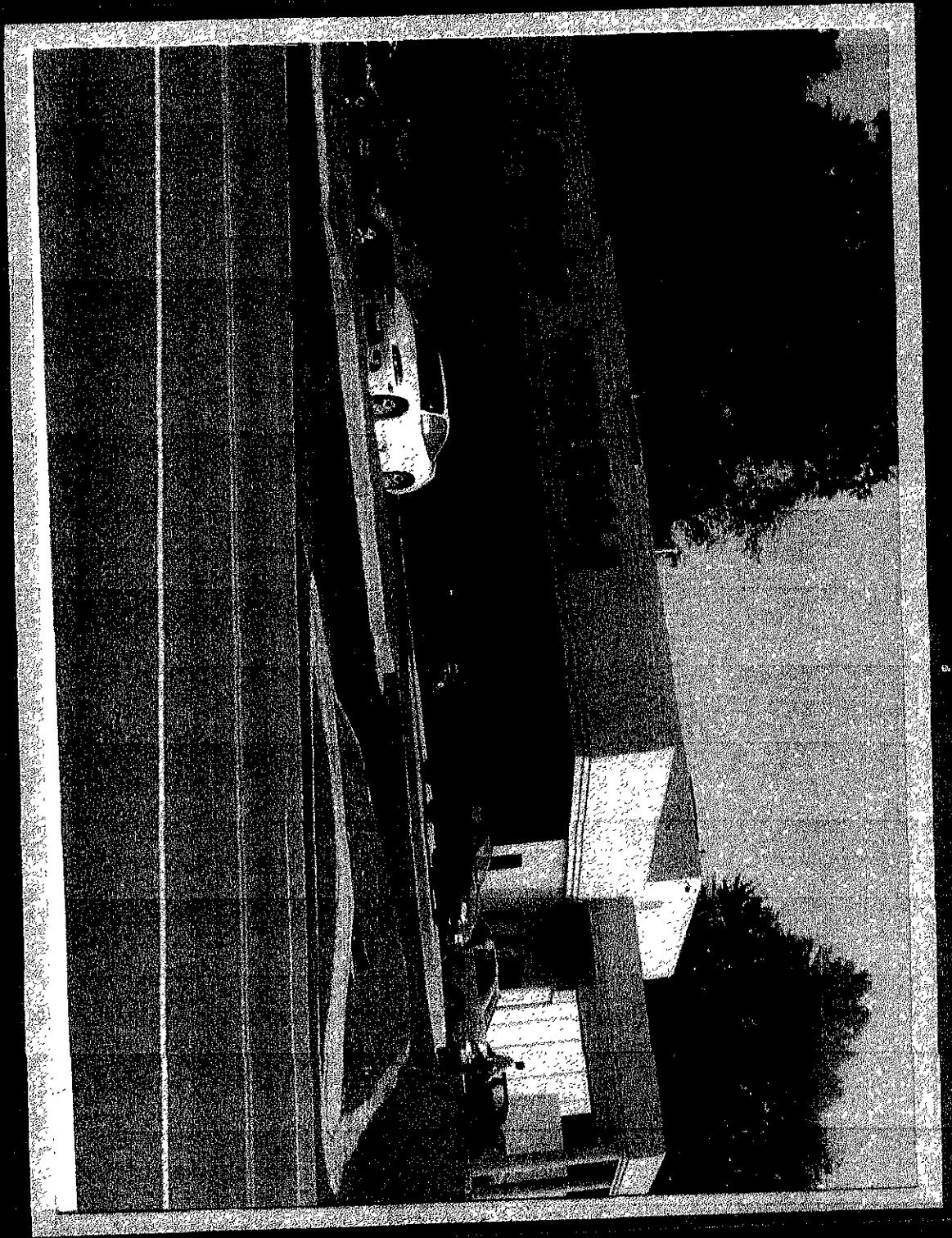




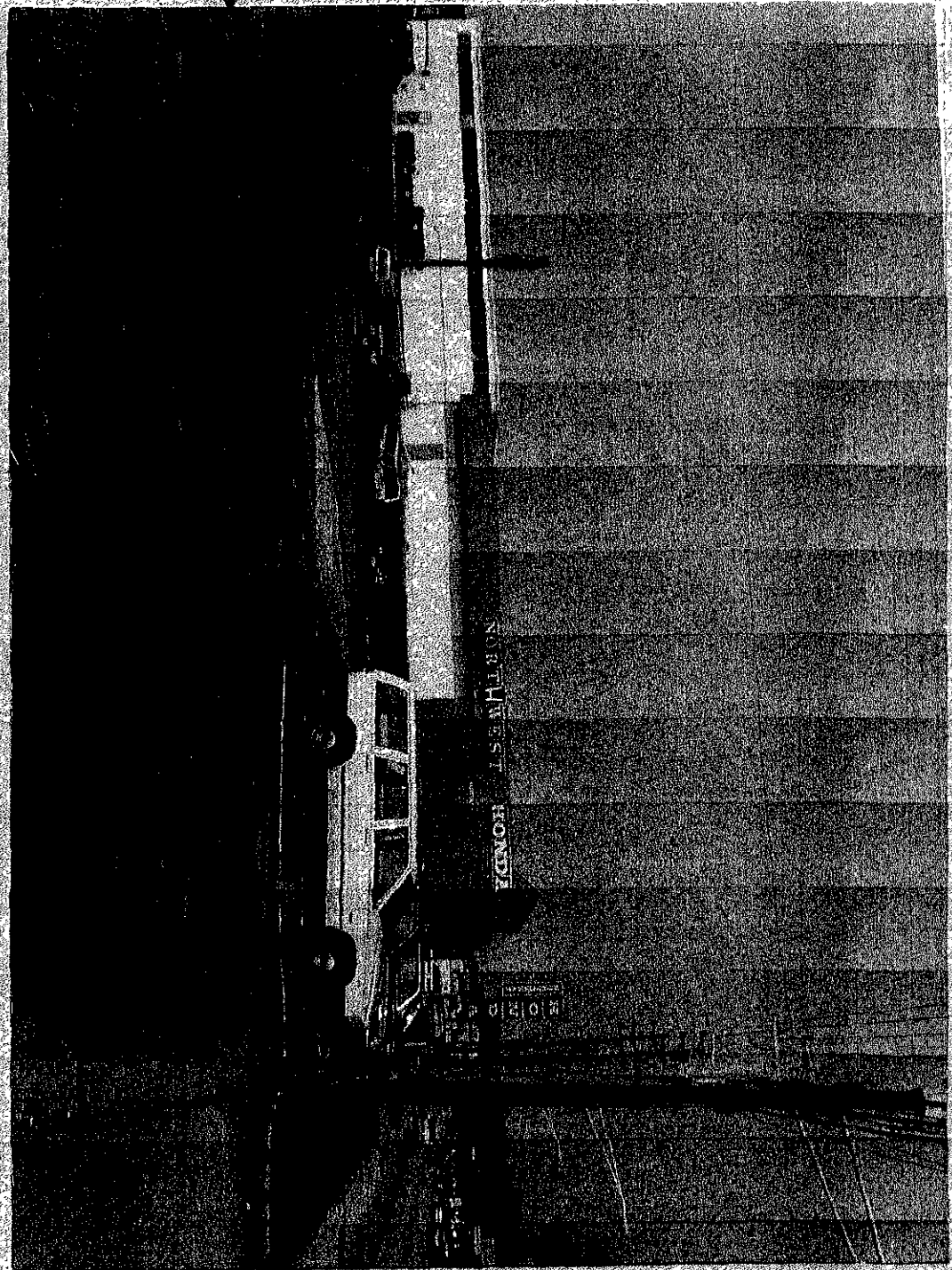


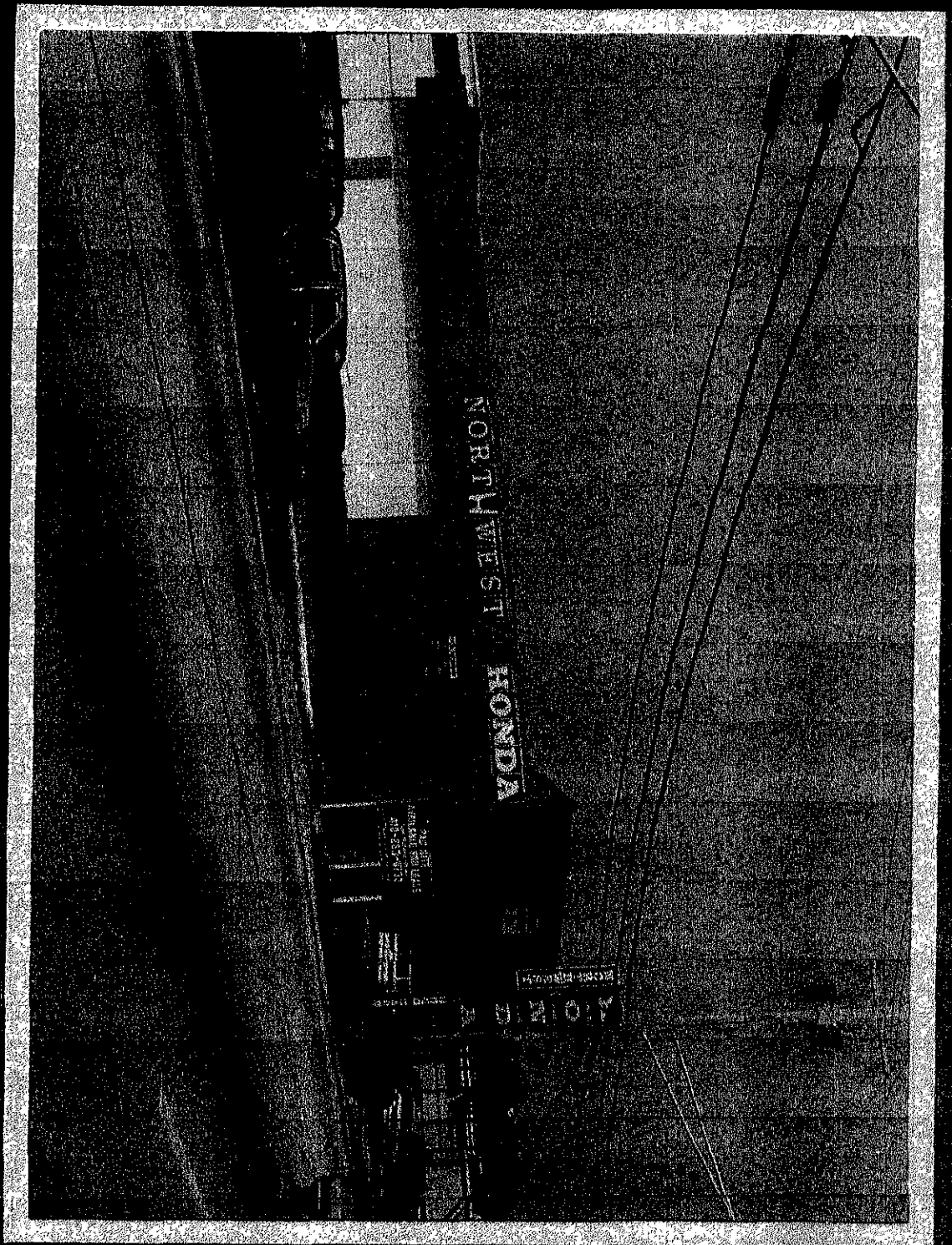


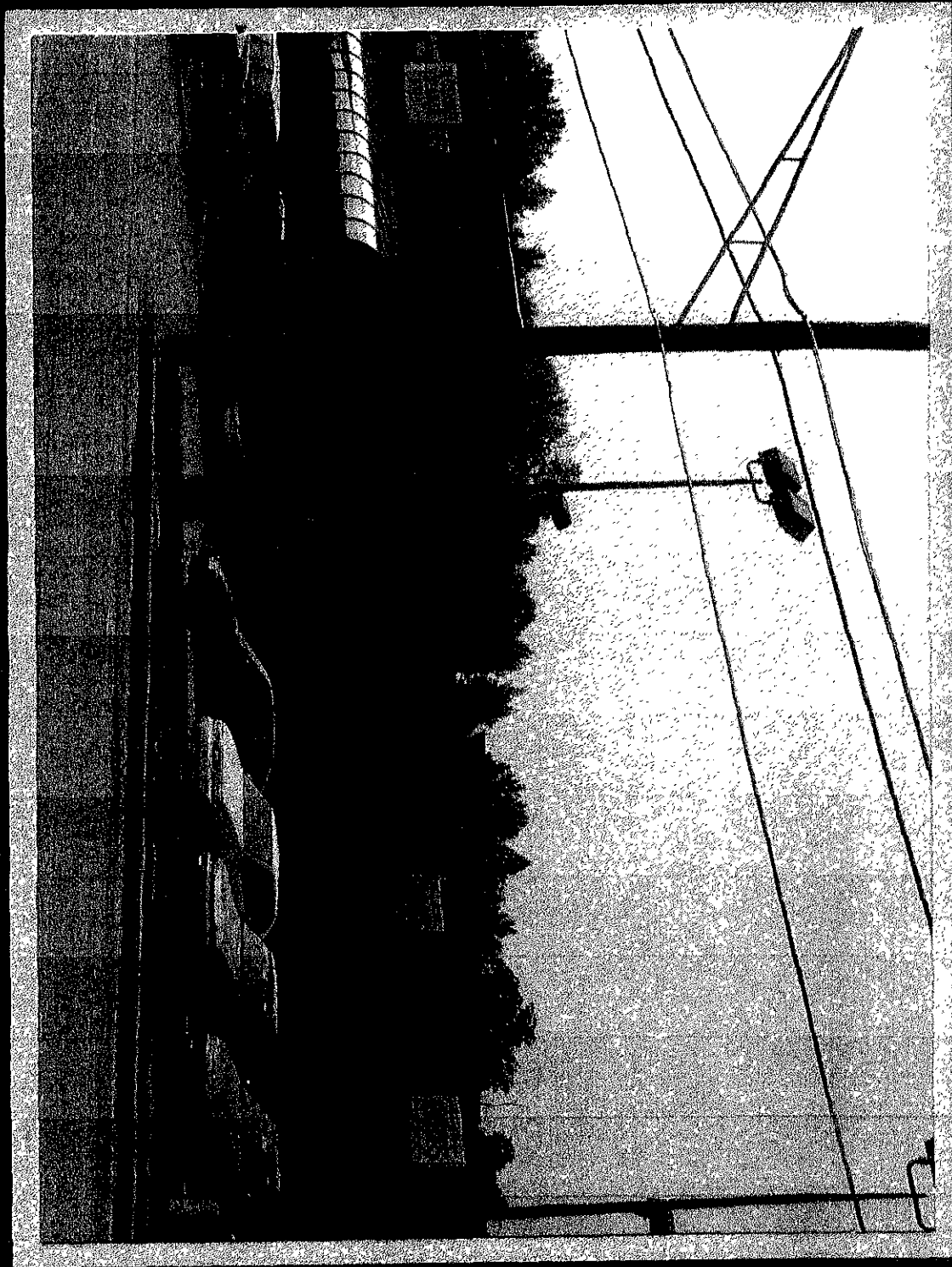


















Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

September 24, 1996

Marvin I. Singer, Esquire
343 North Charles Street
Baltimore, MD 21201

RE: Item No.: 81
Case No.: 97-84-A
Petitioner: John R. W. Seymour

Dear Mr. Singer:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on August 19, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, appearing to read "W. Carl Richards, Jr.", is written over the typed name.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)

MICROFILMED



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: PDM

DATE: Sep. 6, 96

FROM: R. Bruce Seeley
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: Sep/3/96

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

81

454

82

475

83

84

87

88

90

RBS:sp

BRUCE2/DEPRM/TXTSBP

MICROFILMED

BALTIMORE COUNTY, MARYLAND
ELECTRICAL INSPECTION FEE SCHEDULE

EFFECTIVE APRIL 1, 1992

MINIMUM FEE FOR ELECTRICAL PERMITS IS \$17.00

PERMIT EXPIRATION

A permit shall expire one year from the date it was issued unless it is extended, in which case it can only be extended for one additional year. The maximum duration of an electrical permit is two years.

ROUGH WIRING

All switches, receptacles, and lights to be counted as outlets:

FIXTURES	
1 to 50 outlets . . . \$17.00	1 to 50 fixtures . . . \$17.00
For each additional 25 outlets or fraction thereof . \$ 3.00	For each additional 25 fixtures or fraction thereof . \$3.00

COMPLETED INSTALLATIONS, where wiring and fixtures are installed and can be inspected on one visit, apply rough wiring schedule based on total number of outlets.

FEES - NEW RESIDENCE - FLAT RATE - INCLUDES ALL APPLIANCES & SERVICE

Not over 100 amp. service	\$44.00
Not over 200 amp. service	\$52.00
Over 200 amp. service	\$57.00

FEES - NEW APARTMENTS - INCLUDES ALL APPLIANCES - SERVICE ADDITIONAL

1 to 5 - Use Rough Wiring & Fixture Schedules, Service Additional
6 or more - \$17.00 per apartment, Service Additional

ADDITIONS & REMODELING - Use Rough Wiring and Fixture Schedules.
Appliances such as electric ranges, range tops, ovens, air conditioners, water heaters, disposals, dishwashers, dryers, water pumps, electric heating units, etc., installed in dwelling occupancies: a charge of \$5.00 will be made for the first unit 20 KW or less, and \$2.00 for each additional unit or outlets.

INDUSTRIAL AND COMMERCIAL EQUIPMENT - such as air conditioners, motors, generators, commercial heaters, transformers, capacitors, welders and similar devices:

Secondary Fee	
Single unit or group not exceeding 5 motors whose total capacity does not exceed 1 HP or KW . . .	\$17.00 -- \$5.00
1 HP to 40 HP, KW or KVA	\$17.00 -- \$5.00
Over 40 HP to 75 HP, KW or KVA	\$17.00 -- \$6.00
Over 75 HP, KW or KVA	\$17.00 -- \$7.00

NOTE: Where above motor fees exceed \$75.00 and inspections can be completed within 90 days of filing application, apply 50% of the above fees for the amount over \$75.00.

NEW SERVICE - RELOCATION OR CHANGES IN SERVICE

Not over 400 amps	\$17.00
Over 400, not over 800 amps	\$25.00
Over 800 amps	\$43.00

INVESTIGATION FEE

Whenever any work for which a permit is required under this code has been commenced without authorization of such permit, a special investigation shall be made before a permit may be issued for such work. In addition to the regular permit fee, an investigation fee of \$43.00 shall be collected.

MODULAR HOMES OR PREFABRICATED STRUCTURES

Must bear a sticker of approval from the U.S. federal government, the state, a national testing facility, or other recognized inspection bureau. When this sticker is in evidence, a flat rate of \$43.00 will be charged.

TRANSFORMERS, VAULTS - OUTDOOR ENCLOSURES
OUTDOOR SUB-STATIONS

Not over 200 KVA	\$19.00
Over 200 to 500 KVA	\$21.00
Over 500 KVA	\$28.00

NOTE: Above applied to each bank of transformers.

SWIMMING POOLS

Bonding \$17.00
Filters & Pool Lights (Use fixture & appliance schedule)

REINSPECTION OR REINTRODUCTION OF CURRENT

Charge is in relation to amount of supervision, but no less than \$43.00
Any equipment not heretofore approved, the schedule covering classification to apply used.

ADDITIONAL INSPECTIONS

For reported correction of defects found in original installation (after notice of correction and second inspection) \$17.00

ELECTRIC SIGNS

Electric discharge sign lighting systems, charge based on amp. rating of each sign:
0 to 10 amp. \$17.00
Each additional 5 amp. or fraction thereof . \$ 7.00
For incandescent signs, divide total number of sockets by "4" applying rough wiring schedule for each sign,
minimum fee. \$17.00
Charge for each combination incandescent and gas tube sign to be computed by adding charge for each class.

ELEVATOR INSTALLATIONS

Single unit, non-automatic, 1 to 20 HP each \$17.00
Single unit, non-automatic, Over 20 HP: apply primary motor schedule.
Automatic elevators: Add \$5.00 to primary motor schedule.

RADIO OR TV APPARATUS

Minimum fee \$17.00

PROTECTIVE SIGNALING SYSTEMS, SOUND OR TIME SYSTEMS OUTLETS, TELEPHONES

1 to 15 devices \$17.00
Each additional 5 \$ 3.00

TEMPORARY INSTALLATIONS AND DECORATIVE DISPLAYS
Temporary installations for carnivals, Christmas decorations, halls churches, etc., where inspection is on a one-time basis, apply the following fees:

1 to 10 KW \$17.00
11 to 25 KW \$21.00
26 to 50 KW \$28.00
Over 50 KW \$34.00

Where inspection is not on a one-time basis, Special Services below:

SPECIAL SERVICES

Special services (such as annual inspections, hospital operating floors, motion picture equipment, mobile homes, etc.) and/or conditions not provided for in the schedule shall be charged for on the basis of time required.

Minimum fee \$17.00
Temporaries and inspections requested after the first inspection, when work was not ready, EACH \$43.00

Issuance of duplicate certificate . . . \$ 3.00

PRE-PURCHASE AND USE POSTCARD PERMITS (\$17.00) FOR SIMPLE, ONE-ITEM INSPECTIONS.

B A L T I M O R E C O U N T Y , M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: September 6, 1996

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 81, 83, 86, 88, 90, 92 and 93

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by:

Jeffrey W. Long

Division Chief:

Carol L. Kerns

PK/JL



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

8-30-96

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204



RE: Baltimore County
Item No. 081 (RT)

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval, as a field inspection reveals the existing entrance(s) onto MD/DE #140 are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA projects.

Please contact Bob Small at 410-545-5581 if you have any questions. Thank you for the opportunity to review this item.

Very truly yours,


 Ronald Burns, Chief
Engineering Access Permits
Division

BS

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

MICROFILMED

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 09/05/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: JOHN R.W. SEYMOUR, SOLE REMAINING TRUSTEE OF THE
MARY J. SEYMOUR MARITAL TRUST AND THE JOHN W. SEYMOUR RESIDUARY TRUST.

Location: NE/S REISTERSTOWN RD. 131.5' E FROM CENTERLINE HIGH FALCON RD.

Item No.: 081

Zoning Agenda: VARIANCE

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

1. Fire hydrants for the referenced property are required and shall be located at proper intervals, along an approved road in accordance with Baltimore County Standard Design Manual Sec. 2.4.4 Fire Hydrants, as published by the Department of Public Works.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

SEP 9 1996



cc: File
Printed with Soybean Ink
on Recycled Paper

B A L T I M O R E C O U N T Y, M A R Y L A N D

I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director
 Department of Permits & Development
 Management

Date: September 13, 1996

FROM: Robert W. Bowling, Chief
 Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
 for September 9, 1996
 Item No. 081

The Development Plans Review Division has reviewed the subject zoning item. Landscape requirements for two previously approved Stoler properties have not been complied with. They are 11275 Reisterstown Road and 11311 Reisterstown Road. These landscape requirements should be complied with before additional requests are granted.

RWB:HJO:jrb

cc: File

ZONE25A

MICROFILMED

BALTIMORE COUNTY, MARYLAND
Inter-Office Memorandum

Tim K.
97-84A
10/11/96

DATE: August 29, 1996

TO: Hearing Officer

FROM: W. Carl Richards, Jr.
Regulo Tanguilig
Zoning Review, PDM

SUBJECT: Petition for Variance
Item #81
11405 Reisterstown Road

Since this petition was filed describing the entire property in lieu of a limited sign location area, this office recommends that the order clearly state either the flexibility for locating the sign within the described area or that, notwithstanding the described variance area, the sign must be located in the specific location as indicated on the site plan.

WCR:scj

c: Petitioner's Attorney

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PETITION PROBLEMS

#81 --- RT

1. Need authorization for person to sign for legal owner.
2. Need title of person signing for contract purchaser.

#82 --- CAM

1. No review information on bottom of petition form.

#85 --- MJK

1. Can't read printed name of contract purchaser.

#87 --- JLL

1. Need telephone number for attorney.

#88 --- JLL

1. Need authorization for person who signed for attorney.
2. Need telephone number for legal owner.

#93 --- JCM

1. No hardship or practical difficulty on petition form.
2. Notary section is incomplete.

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8/27/96

RE: PETITION FOR VARIANCE
11405 Reisterstown Road, NE/S Reist. Rd,
131.5' E from centerline High Falcon Rd
4th Election District, 3rd Councilmanic

Legal Owner(s): John Seymour, Trustee
Contract Purchaser: Colonial Stoler Ptnrshp
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
CASE NO. 97-84-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 17th day of October, 1996, a copy of the foregoing Entry of Appearance was mailed to Marvin I. Singer, Esq., 343 N. Charles Street, Baltimore, MD 21201, attorney for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

RECEIVED

LAW OFFICES
MARVIN I. SINGER
SUITE 1601
W.R.GRACE BUILDING
10 EAST BALTIMORE STREET
BALTIMORE, MARYLAND 21202

(410) 685-1111

FACSIMILE
(410) 625-4709

August 15, 1996

VIA MESSENGER

Mr. Reg Tanguilig
Baltimore County Office of Zoning
Development Control
Room 109
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Colonial Stoler Partnership
Application for Sign Variance
11405 Reisterstown Road

Dear Sir:


Enclosed for filing are the following:

- 1) Petition for Variance (3 copies)
- 2) Zoning Map 1" = 200' scale (1 copy)
- 3) Zoning Description (3 copies)
- 4) Plat of Site (12 copies)
- 5) Advertising Letter (1 copy)
- 6) Check in the amount of \$285.00 for costs of filing

These have been revised to conform with the suggestions you made at our meeting. I would appreciate your making every effort to expedite the processing of this petition and the scheduling of a hearing.

Should you have any questions at all please do not hesitate to contact me.

Very truly yours,



MARVIN I. SINGER

MIS/abj
Enclosures

*Leave Message - @ 2:24 P.M.
8-15-96*

ITEM # 81

MICROFILMED

8/23/96 96-4645
ag 81

LAW OFFICES
MARVIN I. SINGER
SUITE 1601
W.R. GRACE BUILDING
10 EAST BALTIMORE STREET
BALTIMORE, MARYLAND 21202

(410) 685-1111

FACSIMILE
(410) 625-4709

August 21, 1996

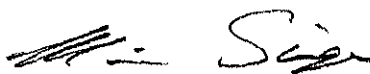
Mr. Carl Richards
Baltimore County Office of Zoning
Room 109
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Colonial Stoler Partnership
Application for Sign Variance
11405 Reisterstown Road

Dear Carl:

Enclosed is an additional copy of the Petition for Variance signed by me, which I understand is acceptable to you. Should there be any further questions, please contact me promptly. Thank you for your cooperation.

Sincerely,



MARVIN I. SINGER

MIS/m
Encl.

22 1996

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PLEASE PRINT CLEARLY

→ 2014 to contact
him
PROTESTANT(S) SIGN-IN SHEET

410.356 7033

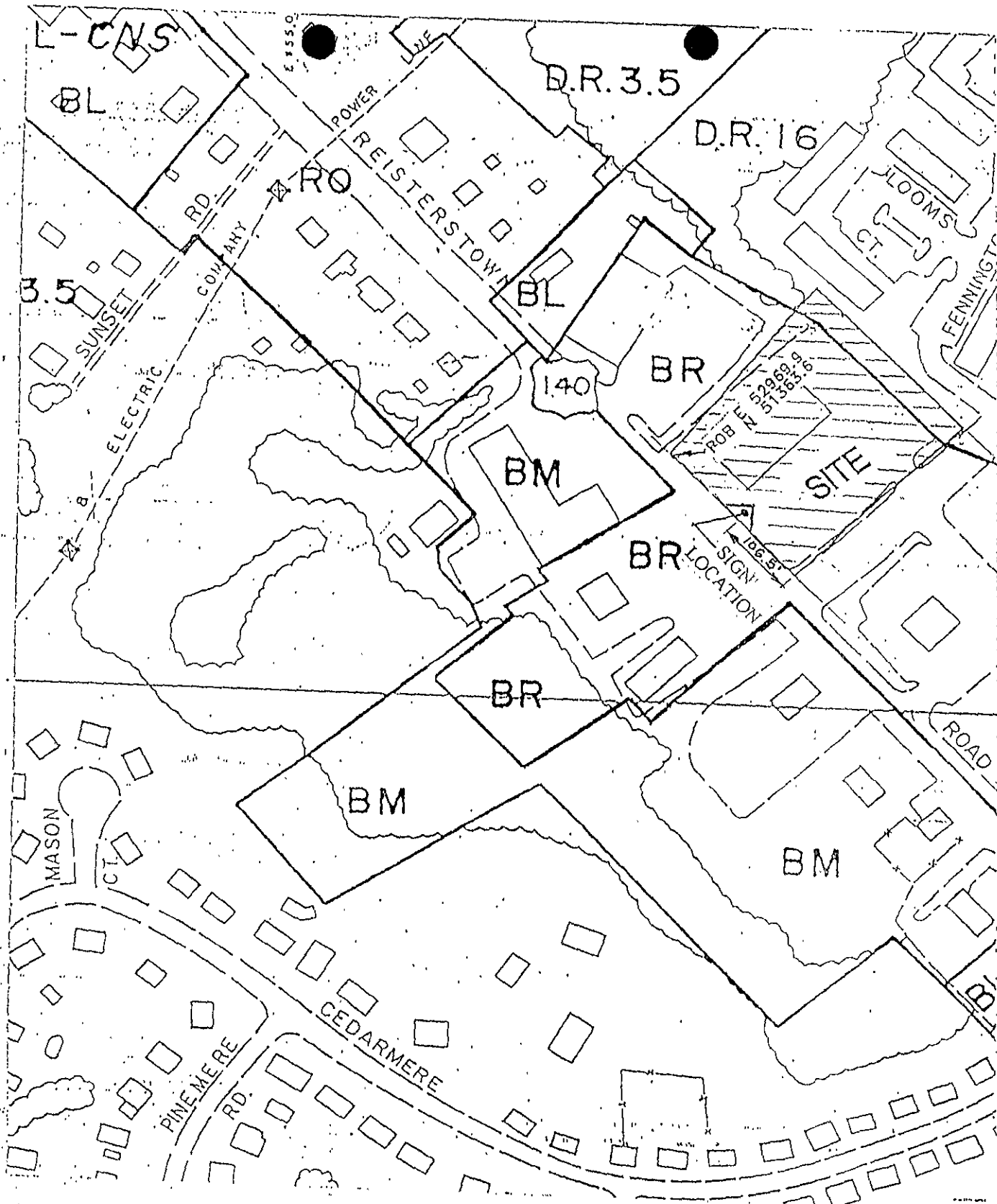
NAME

ADDRESS

Dennis R. Orr

28 Kingsley Rd Owens Mills 21117

MICROFILMED



KCW Consultants, Inc.
Civil Engineers and Land Surveyors

3104 Tilmanus Lane
Suite 101
Baltimore, Maryland 21244
(410) 281-0033

"LEN STOLER @ HIGH FALCON"

#11405 REISTERSTOWN ROAD
OWINGS MILLS, MARYLAND 21117

ITEM # 81

MAP: NW 13.1

SCALE: 1"=200'

DATE: 06/29/96

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97-84-A

Len Stoler, Inc.
State & Local Taxes Generated during Calendar Year 1995

SALES & USE TAXES

Titling Taxes on New & Used Car Sales (5%) Approx. \$4.5 million

Sales & Use Taxes on Parts & Service Work (5%) Approx. \$225,000

PAYROLL INFORMATION

1995 Total Payroll Approx. \$8.1 million

of Current Full Time Employees 216

State Unemployment Taxes Paid in 1995 \$60,729

State Withholding Taxes Remitted in 1995 Approx. \$531,000

REAL ESTATE & PERSONAL PROPERTY TAXES

State & County Taxes Paid on Company Real Estate Approx. \$96,000

Personal Property Taxes Paid on Equipment, Furniture, Fixtures, etc. Approx. \$35,000

RETIREDER'S
EXHIBIT 2

MICROFILMED



**DEALER SALES AND SERVICE AGREEMENT
STANDARD PROVISIONS**

PETITIONER'S
EXHIBIT 4A

MICROFILMED

- b. The business activities of such Related Business and the use of such Related Property including, among other things, the names of all *Authorized MMSA Dealers* with which such Related Business has any dealings or who use or have any interest in such Related Property, and the terms of such dealings, use and interests.
3. In the event of any change in the ownership, activities or use of the Related Business or Related Property, furnish to **MMSA** a written report setting forth the details of such change.
4. Furnish to **MMSA** such other reports concerning the Related Business or Related Property as **MMSA** may from time to time require.

D. Personnel

Dealer agrees that it will employ qualified personnel in such capacities and in such number as may be specified in the *Dealer Development Plan* or as otherwise required by **MMSA**.

E. Insurance

Dealer shall obtain fire and casualty insurance issued by an insurer of recognized responsibility satisfactory to **MMSA**, with coverage for each occurrence and in an aggregate amount acceptable to **MMSA**, and providing coverage for, among other things, death, bodily injury and property damage claims which may arise in connection with **Dealer's** operations. Such insurance shall be maintained in full force and effect at **Dealer's** sole cost throughout the term of *this Agreement* and all extensions or renewals hereof.

F. Maintaining Operations Open for Business

Since the transportation and maintenance needs of customers served by **Dealer** can be properly met only if **Dealer** keeps the *Dealership Premises* open for business, **Dealer** agrees to maintain its dealership operations open for business during all days and hours which are customary and lawful for such operations in the community or locality in which the *Dealership Premises* are located. Any unexcused failure to remain open for business during such hours in excess of five (5) consecutive business days shall constitute grounds for termination of *this Agreement* under Section X.B.1.(a) hereof.

G. Minimum Vehicle Inventories

Subject to the ability of **MMSA** to supply *MMSA Vehicles* ordered by **Dealer**, **Dealer** agrees that it shall, at all times, maintain the minimum inventory of *MMSA Vehicles* for immediate sale as set forth in the *Dealer Development Plan* from time to time by **MMSA** after consultation with **Dealer**. **Dealer** also agrees that it shall have available at all times, for purposes of showroom display and demonstration, the number of current models of *MMSA Vehicles* required of **Dealer** as determined from time to time by **MMSA** after consultation with **Dealer**. **Dealer** agrees to maintain all *MMSA Vehicles* in excellent condition at all times. Failure of **Dealer** to maintain the required minimum number of *MMSA Vehicles* shall constitute grounds for termination of *this Agreement* under Section X.B.2.(n) hereof.

Dealer recognizes that it is the goal of all *MMSA Dealers* to meet efficiently the needs of all customers of *MMSA Products* wherever located and that, although an *MMSA Dealer* may attempt to continually maintain its minimum inventory, occasionally its customers may request a specific *MMSA Vehicle* or *MMSA Part* or *Accessory* which is not currently in stock. Accordingly, **Dealer** agrees to use its best efforts to cooperate with other *MMSA Dealers* by providing them with access to information regarding its parts and *MMSA Vehicle* inventory and whenever possible, trading its *MMSA Products* to satisfy the needs of a customer of another *MMSA Dealer*.

H. Signs

Subject to applicable governmental ordinances, regulations and statutes, **Dealer** agrees to buy or rent from **MMSA** or from sources designated by **MMSA** and to erect and maintain on the *Dealership Premises*, entirely at **Dealer's** expense, authorized sales and service signs conforming to the requirements established and approved for **Dealer's** use by **MMSA**. **Dealer** further agrees to obtain and maintain any licenses or permits necessary to erect such signs. Failure to obtain, erect, maintain, repair, illuminate and prominently display such signs in a manner approved by **MMSA** shall constitute grounds for termination of *this Agreement* under Section X.B.2.(j) hereof.

MAY 31 1996 1:50PM

NO. 371 P. 2

FREE-STANDING BRAND SIGNAGE

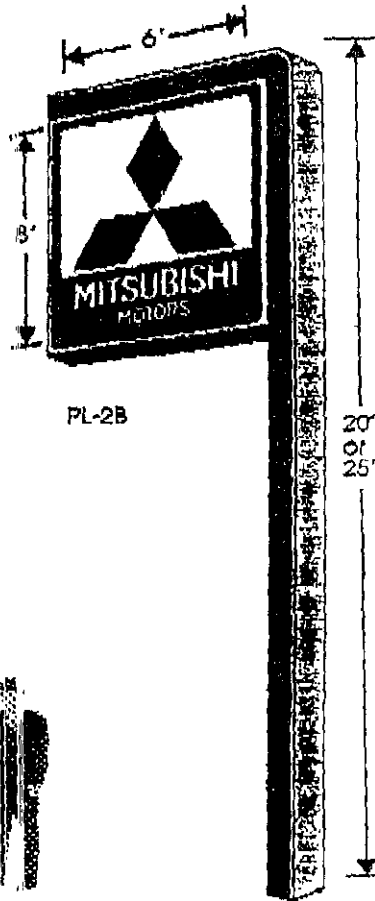
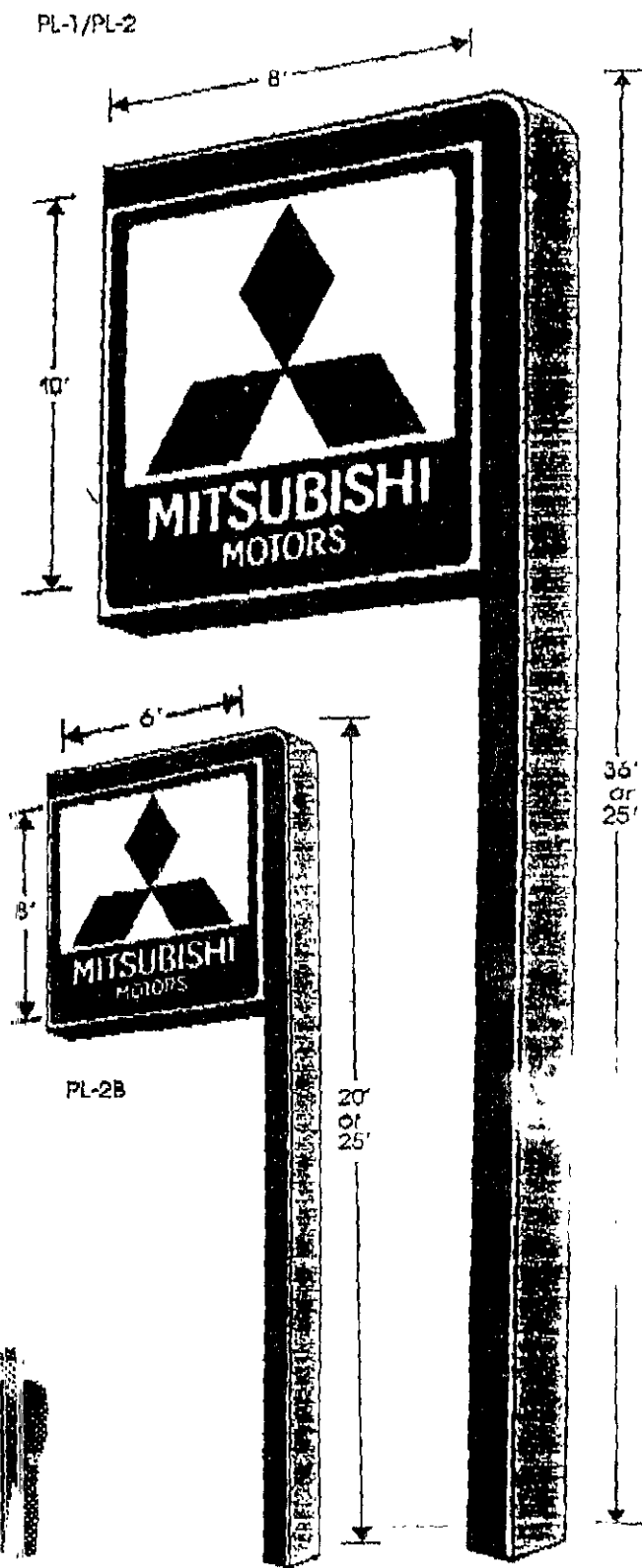
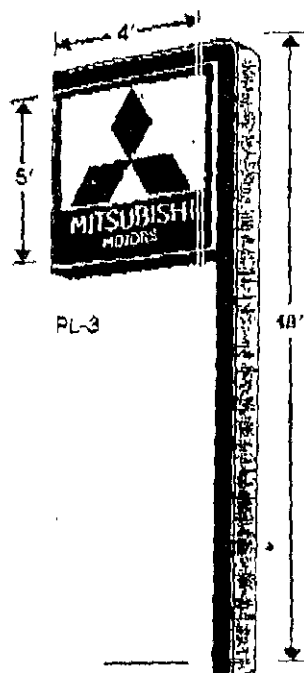
Mandatory for Dealers Where Local Zoning Ordinances Permit

The primary identification device for the Mitsubishi Motors Dealership is the free-standing, double-faced, illuminated sign. This signage is mandatory for all Dealerships, subject to local zoning ordinances.

The free-standing signage is available in 14' x 11' 9" with 34' or 42' pole*, 10' x 8' with 36' or 25' pole*, 8' x 6' with 20' or 25' pole*, and in a 5' x 4' size with 18' pole*. The pole is constructed of brushed aluminum with a black "inside" surface and, together with the illuminated sign, combines strong identification with a high quality, contemporary appearance.

The pole is designed to accommodate only the Mitsubishi Motors Logo (Brand Sign). No other signage can be attached.

- * Pole heights are from ground surface to the top of the sign.



OWNER'S
EXHIBIT 5

Microfilm

Title 11

DEPARTMENT OF TRANSPORTATION

**Subtitle 12 MOTOR VEHICLE ADMINISTRATION—
CONSUMER AFFAIRS AND BUSINESS LICENSING**

Chapter 01 Dealers and Salesmen

Authority: Transportation Article, §§12-104(b), 15-102, 15-103, 15-107, 15-108, 15-114,
15-305.1, 15-307, 15-309, 15-312(b), 15-406, 15-408, 15-409, and 15-411;
Commercial Law Article, §14-1502; Annotated Code of Maryland

.01 Dealer Licensing and Registration.

A. The Administration may refuse to grant a license to any person as a dealer or may suspend, revoke, or refuse to continue the license of a dealer already issued, unless meeting the requirements contained here.

B. A person applying for a dealer license shall submit the application on forms approved by the Administration, along with the fee as set forth in COMAR 11.11.05.

.02 Location Requirements.

A. Each location shall be subject to inspection by an authorized representative of the Administration before approval of application for dealer registration.

B. Following approval of the application, the location shall be maintained in accordance with the applicable provisions of Transportation Article, Annotated Code of Maryland, and the regulations promulgated by the Administration. Licensees are subject to reinvestigation by authorized representatives of the Administration.

C. Only one license for the type of vehicles being offered for sale will be permitted at any one location, and once the location has been licensed, it may not be subdivided for the purpose of establishing other businesses, under separate licenses for the same type of vehicles being offered for sale, without the prior approval of the Administration. This prohibition also applies to a licensee doing business under more than one corporate structure.

D. A dealer may do business in a name or under any title or designation other than the corporation name, provided that the title or

Supp. 15

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PETER'S
5
EX-111
6

designation is not misleading. A trade or corporate name that falsely states or implies that a dealer has a special relationship or connection with a manufacturer that other dealers do not have is misleading, and an example of a title or designation that may not be adopted by a dealer. The dealer's application for license shall state the full corporate name and all "trading as" or "doing business as" names. Example: ABC Pontiac—GMC—Datsun—Volvo, Inc.; T/A ABC Volvo, T/A ABC Datsun, T/A ABC Pontiac—GMC.

E. A dealer may hold multiple licenses, for example, new or used vehicle, motorcycle, and trailer dealers' licenses, provided that all licenses are issued in the same dealership name.

F. The dealership shall face, adjoin, and be fully visible from an improved street or highway that is accessible to the public and that is identifiable by name or postal number. The street or highway shall be used by the public for vehicular travel.

G. The location shall be of a size to adequately and safely permit the display of a minimum of ten vehicles and space for customer parking.

H. The location shall meet all local zoning regulations.

I. The location shall be fully lighted.

J. The display and customer parking areas shall be adequately surfaced with an appropriate covering, subject to approval by the Administration.

K. The additional locations shall be inspected and approved by the Administration.

L. Additional locations shall meet the minimum standards set forth in applicable provisions of the Transportation Article, Annotated Code of Maryland, and the regulations promulgated by the Administration.

M. Additional locations may use registration plates issued to the primary location provided the trade name and ownership are identical to that of the primary location.

N. Signs.

(1) Appropriate dealership signs shall be permanently affixed.

(2) The signs shall be of a size as to make them reasonably legible from the street or highway.

MVA— CONSUMER AFFAIRS AND BUSINESS LICENSING 11.12.01.04

(c) May not contain any language which implies the dealership will sell to or exchange vehicles with a retail buyer.

O. As to wholesale dealers, the location shall be in a permanent building and the space used shall be:

(1) Owned or leased by the wholesale dealer;

(2) Regularly occupied and exclusively used by the wholesale dealer for dealership purposes.

.03 Office Requirements.

A. The dealership office shall be housed at the dealer's fixed location and in a substantial building adequate and appropriate for the business so conducted.

B. The dealership office shall be of sufficient size to accommodate the customers, and shall be equipped with office furniture, such as desk, chairs, and filing cabinets, and electricity, lighting, heat, and telephone, in order to reasonably conduct the dealership business.

C. A current trader's license shall be issued by the political subdivision of each location.

D. This license shall be displayed on the premises of the dealer in a conspicuous place.

.04 Exemptions.

A. If a location is otherwise adequate and appropriate, the location requirements outlined in Regulation .02F, G, I, J, and N of this chapter may be waived for wholesale dealers, for new trailer, boat trailer, motorcycle dealers, and for any person licensed as a dealer to sell only fire, rescue, and emergency medical motor vehicles, who shall have the privilege of assigning manufacturer's certificates of origin and to issue temporary tags upon filing with the Administration a written franchise agreement from the manufacturer of the vehicles for which the dealer claims a franchise.

B. Once licensed as a dealer to sell fire, rescue, and emergency medical motor vehicles, the dealer shall be prohibited from selling any types of vehicles other than fire, rescue, and emergency medical motor vehicles until the location requirements in Regulations .02 and .03 have been met.

C. Manufacturers and distributors are exempt from location requirements for the purpose of securing Class 1A registration plates.

(3) The signs shall clearly identify the business conducted at the dealership and shall adequately direct the customers to the dealership office.

(4) As to wholesale dealers, a sign is not required. However, if a sign is displayed, it:

(a) Shall be displayed at the dealership entrance;

(b) May not be larger than 6 inches in height and 18 inches in length; and

(See page 7)

EDWIN S. HOWE III
Project Manager

Professional Engineer, Maryland Registration No. 20229

B.S. Civil Engineering (1988)
Georgia Institute of Technology

Masters of Environmental Engineering
Johns Hopkins University (1996)
American Society of Civil Engineers

1986-1987 Frank Lynch & Associates
Surveying and Land Planning Berlin, Maryland

Designer/Draftsman/Instrumentman
Stormwater management, road and utility design for land development projects.

1987-1988 Plen-Aire Construction
Atlanta, Georgia

Construction Assistant
Assist general contractor.

1989-1996 KCW Consultants, Inc.
Civil Engineers and Land Surveyors
Baltimore, Maryland

Project Manager
Design and coordination for residential, commercial, industrial, municipal and institutional land development, encompassing utility design, site planning, stormwater management, sediment control and flood plain analysis applying a working knowledge of AutoCadd and other pertinent trade microcomputer software. Communications and correspondence with clients and all Federal, State and Local agencies. In addition, permit and variance acquisition for all development, zoning and environmental impacts and violations which can include, but are not limited to wetland and forest stand delineations, environmental site assessments and expert testimony at zoning hearings.

PETITIONER'S
EXHIBIT 9

MICROFILMED

Appellee demonstrated before the Board, through Exhibits 11-20, a series of zoning decisions granting variances for the height and size of signs throughout the County for automobile dealerships. The closest location among that group was diagonally across Reisterstown Road from the subject property. If the community wishes to have sign regulations changed, the avenues for such action are certainly available through the political process, but new development should not be burdened with restrictions which were not imposed upon similar uses, some located quite nearby.

Section 307 (Variances) of the Baltimore County Zoning Regulations provides, inter alia, that variances are to be granted "only in such manner as to grant relief without substantial injury to public health, safety, and general welfare." In an effort to show compliance with that standard, the Board was referred to the current Baltimore County Master Plan as an expression of official public policy embodying those elements (T.146). The specific goals and recommendations enunciated there are as follows:

Commercial Redevelopment

As vacant land prices increase, redevelopment of older underutilized parcels in areas already served by public facilities becomes an attractive alternative.

. . .

Page 48.

Western Sector

* * * *

In marked contrast to the rural western fringe of this Sector is the new urban center dramatically emerging between the Liberty Road and Reisterstown Road corridors. The Owings Mills Growth Area was formally designated in the 1979 Master Plan. Subsequently, a detailed study was

prepared for this 13,000-acre area, and was formally adopted in 1984 as an amendment to the County Master Plan.

Progress in implementing the Plan has been striking. The State and County have invested upwards of one billion dollars just in the transportation facilities and utility lines serving the Growth Area. Private investment has been equally vigorous. The Rouse Company has completed a regional shopping mall on a 126-acre tract in the Owings Mills Town Center. Other development proposals approved to date by the County total more than 12,000 dwelling units and more than 15 million square feet of office, retail and manufacturing floor area. Owings Mills is well on its way to fulfilling its promise for being the County's economic development flagship for the 1990's, and its continuing, orderly growth should help to relieve some of the pressures which the older communities have been experiencing during the 1980's.

Strategic Issues & Recommendations

The two major strategic land use issues in the Western Sector are the County's continued commitment to the development of the Owings Mills Growth Area, and a clear decision on the basic character and amount of future development in the Patapsco area.

* * * *

Needed Capital Improvements

Besides the hundreds of millions of dollars for the Northwest Expressway and the Metro Line, the Owings Mills area has received more than \$91 million invested by the County in roads and other capital improvements. Additional public investments will be needed to complete major facilities and schedule others so the successful pace of private development can continue. However, the County finds itself with severe budget constraints.

Pages 88 - 89.

Commercial Corridor Improvements

* * * *

North-Central Reisterstown Road

* * * *

Baltimore County has maintained a commitment to the merchants along Reisterstown Road and Liberty Road that it will not place or encourage new competing shopping centers throughout the Owings Mills development area. While some minor neighborhood commercial services may be required, it was the object of the Plan to encourage the new residents of Owings Mills to patronize the established businesses along the two corridors.

Baltimore County has essentially kept its promise not to expand business zoning outside the commercial core of the Owings Mills Growth Area. Despite the tremendous business possibilities this has opened for owners of properties along Reisterstown Road, little has been done to date to improve the quality of existing premises. This stretch of the corridor has not put itself in a position to take full advantage of the Growth Area's proximity.

* * * *

Uses with similar problems and goals should be concentrated to provide identity and character. Coordinated efforts of promotion and marketing would facilitate revitalization. A combination of these and other similar actions may be required to improve the profitability of corridor businesses, and enable property owners to provide the quality of commercial services necessary to support expected growth in Owings Mills. The alternative may be a decision to provide the necessary services at key locations inside the growth area itself.

Page 97.

The last cited paragraph is notable in seeking to "enable property owners to provide the quality of commercial services necessary to support expected growth in Owings Mills." Appellee is a good example of bringing improvement to deteriorated and underdeveloped property, but requires these modest variances in order to successfully compete and market his product. For it is only through sustained sales volume, achieved in part through uniform identification programs, that the growth and economic viability needed to pay for such improvements may be secured.



Pettinax's
Exhibit 1
photograph

97-84-A

MICROFILMED

automobile dealership; the absence of which precludes the sale of the identified make of automobile from the subject premises.

The variance is required in order to make reasonable use of the property, and to prevent conformance with the Zoning Regulations from being unnecessarily burdensome.

LEN STOLER @ HIGH FALCON

ZONING DESCRIPTION

OWNER: JOHN F. W. SEYMOUR AND J. TEMPLE SMITH, TRUSTEES
22 W. ALLEGHENY AVENUE
TOWSON, MARYLAND 21204
TELEPHONE: (410) 556-7000

APPLICANT: LEN STOLER, INC.
11275 REISTERSTOWN ROAD
OWINGS MILLS, MARYLAND 21117

PROPERTY LOCATION: 11405 REISTERSTOWN RD.
BALTIMORE, MARYLAND 21117

ELECTION DISTRICT: 4

Beginning with a point 33' ± northeast of center line of the Reisterstown Road an existing 66' right-of-way at a distance of 265' ± northwest of the center line of the intersection of High Falcon road, thence the following courses:

1. N 39° 17'30" E 241.00'
2. N 39° 17'30" E 71.60'
3. S 45° 36'50" E 257.61'
4. S 44° 23'10" W 30.00'
5. S 44° 23'10" W 267.95'
6. N 89° 48'20" W 27.88'
7. N 43° 58'18" W 209.95'

To the place of beginning, as recorded in Deed Liber 6124, Page 640.

Containing 1.8± Acres.



ITEM # 81

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 4th Date of Posting: 9/16/96
Posted for: OCT. 1, 1996 HEARING
Petitioner: SEYMOUR / LEN STOLER
Location of property: 11405 REISTERSTOWN RD.
Location of Sign: 11405 REISTERSTOWN RD.
Remarks: [Signature]
Posted by: [Signature] Date of return: [Signature]
Number of Signs: 1

CASE NUMBER: 97-84-A (Item 81)
11405 Reisterstown Road
NE/S Reisterstown Road, 131.5' E from centerline High Falcon Road
Legal Owner(s): John R. W. Seymour, Trustee
Contract Purchaser: Colonial Stoler Partnership

Variance to permit the erection of a double-faced, illuminated business sign with a size of 160 square feet total area (counting both sides), in lieu of the 100 square feet now permitted.

HEARING: TUESDAY, OCTOBER 1, 1996 at 10:00 a.m. in Room 118, Old Courthouse.

Post by: 9/16/96 Marvin I. Singer, Esq. 727-4700

ZONING NOTICE

CASE # 97-84-A

A PUBLIC HEARING WILL BE HELD BY THE ZONING COMMISSIONER IN TOWSON, MARYLAND

PLACE: ROOM 118, OLD COURTHOUSE
TIME & DATE: TUESDAY, OCT. 1, 1996 AT 10:00 A.M.

VARIANCE TO PERMIT THE ERECTION OF A DOUBLE-FACED, ILLUMINATED BUSINESS SIGN WITH A SIZE OF 160 SQUARE FEET TOTAL AREA, COUNTING BOTH SIDES, IN LIEU OF THE 100 SQUARE FEET NOW PERMITTED.

REVIEW DATE: OCTOBER 1, 1996. IF NO ACTION IS TAKEN BY THE ZONING COMMISSIONER, THE VARIANCE WILL BE GRANTED.

CERTIFICATE OF PUBLICATION

TOWSON, MD. Sept 6, 1996

THIS IS TO CERTIFY that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Sept 5, 1996.

THE JEFFERSONIAN

U. H. [Signature]
1996-10-01

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204, on Tuesday, October 1, 1996, at 10:00 a.m. in Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE # 97-84-A (Item 81)
11405 Reisterstown Road
NE/S Reisterstown Road, 131.5' E from centerline High Falcon Road
Legal Owner(s): John R. W. Seymour, Trustee
Contract Purchaser: Colonial Stoler Partnership
Variance to permit the erection of a double-faced, illuminated business sign with a size of 160 square feet total area (counting both sides), in lieu of the 100 square feet now permitted.
HEARING: TUESDAY, OCTOBER 1, 1996 at 10:00 a.m. in Room 118, Old Courthouse.
Arnold Jablon, Director



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

August 30, 1996

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204, on Tuesday, October 1, 1996, at 10:00 a.m. in Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-84-A (Item 81)
11405 Reisterstown Road
NE/S Reisterstown Road, 131.5' E from centerline High Falcon Road
4th Election District - 3rd Councilmanic
Legal Owner(s): John R. W. Seymour, Trustee
Contract Purchaser: Colonial Stoler Partnership
Variance to permit the erection of a double-faced, illuminated business sign with a size of 160 square feet total area (counting both sides), in lieu of the 100 square feet now permitted.
HEARING: TUESDAY, OCTOBER 1, 1996 at 10:00 a.m. in Room 118, Old Courthouse.

[Signature]
Arnold Jablon
Director

cc: John R. W. Seymour
Colonial Stoler Partnership
Marvin I. Singer

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE. FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 81 Petitioner: COLONIAL STOLER PARTNERSHIP

Location: 11405 REISTERSTOWN RD - OWINGS MILLS

PLEASE FORWARD ADVERTISING BILL TO:

NAME: LEN STOLER, INC.

ADDRESS: 11275 REISTERSTOWN ROAD

OWINGS MILLS, MD.

PHONE NUMBER: 356-7000

TO: SUBSTANT PUBLISHING COMPANY
September 5, 1996 Issue - Jeffersonian

Please forward billing to:

Len Stoler, Inc.
11275 Reisterstown Road
Owings Mills, MD 21111
356-7000

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204, on Tuesday, October 1, 1996, at 10:00 a.m. in Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-84-A (Item 81)
11405 Reisterstown Road
NE/S Reisterstown Road, 131.5' E from centerline High Falcon Road
Legal Owner(s): John R. W. Seymour, Trustee
Contract Purchaser: Colonial Stoler Partnership
Variance to permit the erection of a double-faced, illuminated business sign with a size of 160 square feet total area (counting both sides), in lieu of the 100 square feet now permitted.
HEARING: TUESDAY, OCTOBER 1, 1996 at 10:00 a.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHRIOT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE. FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

September 24, 1996

Marvin I. Singer, Esquire
343 North Charles Street
Baltimore, MD 21201

RE: Item No.: 81
Case No.: 97-84-A
Petitioner: John R. W. Seymour

Dear Mr. Singer:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on August 19, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Rubanks in the zoning office (897-1391).

Sincerely,

[Signature]
W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: PDM
FROM: R. Bruce Seeley
Permits and Development Review
DEPRM
SUBJECT: Zoning Advisory Committee
Meeting Date: 8/18/96

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 81 454
82 475
83
84
87
88
90

RBS:sp
BRUCE2/DEPRM/TXTSPB

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management
DATE: September 6, 1996
FROM: Pat Keller, Director
Office of Planning
SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 81, 83, 86, 88, 90, 92 and 93

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by: Jeffrey M. Long
Division Chief: Carol L. Kline
PK/JL

ITEMS1/PZONE/TXTJWL

SHA Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 081 (RT)

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval, as a field inspection reveals the existing entrance(s) onto MD/US #140 are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA projects.

Please contact Bob Small at 410-545-5581 if you have any questions. Thank you for the opportunity to review this item.

Very truly yours,

Bob Small
Ronald Burns, Chief
Engineering Access Permits
Division

BS

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Baltimore County Government
Fire Department

700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410)887-4880

DATE: 09/05/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: JOHN R.W. SEYMOUR, SOLE REMAINING TRUSTEE OF THE
MARY J. SEYMOUR MARITAL TRUST AND THE JOHN W. SEYMOUR RESIDUARY TRUST.
Location: NE/S REISTERSTOWN RD. 131.5' E FROM CENTERLINE HIGH FALCON RD.

Item No.: 081 Zoning Agenda: VARIANCE

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

1. Fire hydrants for the referenced property are required and shall be located at proper intervals, along an approved road in accordance with Baltimore County Standard Design Manual Sec. 2.4.4 Fire Hydrants, as published by the Department of Public Works.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File
Printed with Soybean Ink
on Recycled Paper

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management
Date: September 13, 1996
FROM: Robert W. Bowling, Chief
Development Plans Review Division
SUBJECT: Zoning Advisory Committee Meeting
for September 9, 1996
Item No. 081

The Development Plans Review Division has reviewed the subject zoning item. Landscape requirements for two previously approved Stoler properties have not been complied with. They are 11275 Reisterstown Road and 11311 Reisterstown Road. These landscape requirements should be complied with before additional requests are granted.

RWB:HJO:jrb
cc: File

ZONE25A

BALTIMORE COUNTY, MARYLAND
Inter-Office Memorandum

DATE: August 29, 1996
TO: Hearing Officer
FROM: W. Carl Richards, Jr.
Regulo Tanguilig
Zoning Review, PDM
SUBJECT: Petition for Variance
Item #81
11405 Reisterstown Road

Since this petition was filed describing the entire property in lieu of a limited sign location area, this office recommends that the order clearly state either the flexibility for locating the sign within the described area or that, notwithstanding the described variance area, the sign must be located in the specific location as indicated on the site plan.

WCR:scj

c: Petitioner's Attorney

PETITION PROBLEMS

#81 --- RT

1. Need authorization for person to sign for legal owner.
2. Need title of person signing for contract purchaser.

#82 --- CAM

1. No review information on bottom of petition form.

#85 --- MJK

1. Can't read printed name of contract purchaser.

#87 --- JLL

1. Need telephone number for attorney.

#88 --- JLL

1. Need authorization for person who signed for attorney.
2. Need telephone number for legal owner.

#93 --- JCM

1. No hardship or practical difficulty on petition form.
2. Notary section is incomplete.

8/27/96

RE: PETITION FOR VARIANCE * BEFORE THE
11405 Reisterstown Road, NE/S Reist. Rd. * ZONING COMMISSIONER
131.5' E from centerline High Falcon Rd *
4th Election District, 3rd Councilmanic * OF BALTIMORE COUNTY
Legal Owner(s): John Seymour, Trustee *
Contract Purchaser: Colonial Stoler Ptnrshp * CASE NO. 97-84-A
Petitioners * * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County
Carol S. Demilio
CAROL S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 7th day of October, 1996, a copy of the foregoing Entry of Appearance was mailed to Marvin I. Singer, Esq., 343 N. Charles Street, Baltimore, MD 21201, attorney for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

LAW OFFICES
MARVIN I. SINGER
SUITE 1601
W. R. GRACE BUILDING
10 EAST BALTIMORE STREET
BALTIMORE, MARYLAND 21202

FACSIMILE
(410) 625-4709

August 15, 1996

VIA MESSENGER
Mr. Reg Tanguilig
Baltimore County Office of Zoning
Development Control
Room 109
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Colonial Stoler Partnership
Application for Sign Variance
11405 Reisterstown Road

Dear Sir:

Enclosed for filing are the following:

- 1) Petition for Variance (3 copies)
- 2) Zoning Map 1" = 200' scale (1 copy)
- 3) Zoning Description (3 copies)
- 4) Plat of site (12 copies)
- 5) Advertising Letter (1 copy)
- 6) Check in the amount of \$285.00 for costs of filing

These have been revised to conform with the suggestions you made at our meeting. I would appreciate your making every effort to expedite the processing of this petition and the scheduling of a hearing.

Should you have any questions at all please do not hesitate to contact me.

Very truly yours,

Marvin I. Singer
MARVIN I. SINGER

Message - C, 2:24 P.M. 8-15-96 ITEM # B1

LAW OFFICES
MARVIN I. SINGER
SUITE 1601
W. R. GRACE BUILDING
10 EAST BALTIMORE STREET
BALTIMORE, MARYLAND 21202

FACSIMILE
(410) 625-4709

August 21, 1996

Mr. Carl Richards
Baltimore County Office of Zoning
Room 109
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Colonial Stoler Partnership
Application for Sign Variance
11405 Reisterstown Road

Dear Carl:

Enclosed is an additional copy of the Petition for Variance signed by me, which I understand is acceptable to you. Should there be any further questions, please contact me promptly. Thank you for your cooperation.

Sincerely,

Marvin I. Singer
MARVIN I. SINGER

MIS/m
Encl.

22 1003

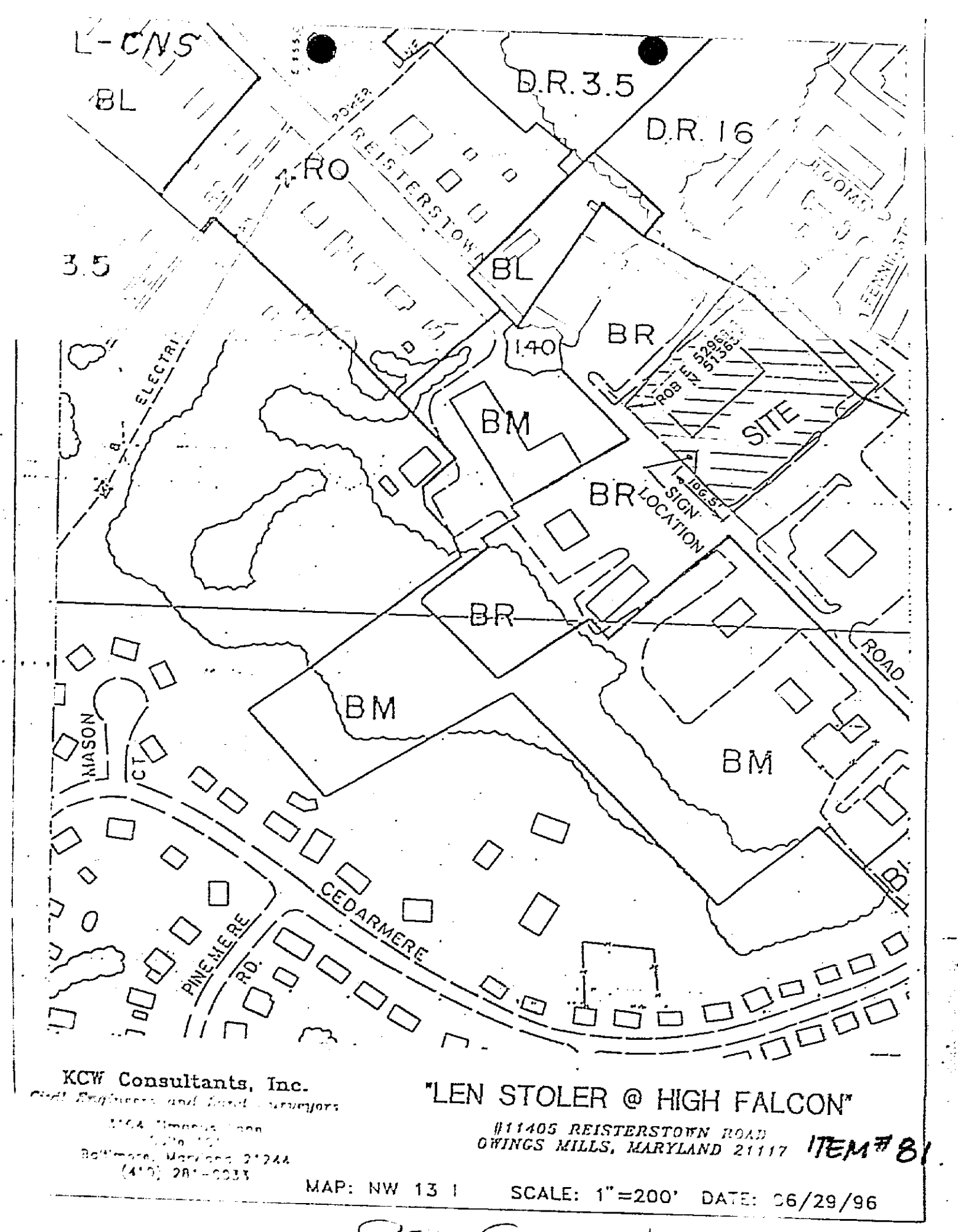
PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET
110 355 7033

NAME

ADDRESS

James R. ...
28 Kingsley Rd ...



ITEM # B1

Len Stoler, Inc.
Local Taxes Generated during Calendar Year 1995

Titling Taxes on New & Used Car Sales (5%)	Approx. \$4.5 million
Sales & Use Taxes on Parts & Service Work (5%)	Approx. \$225,000

PAYROLL INFORMATION

1995 Total Payroll	Approx. \$8.1 million
# of Current Full Time Employees	216
State Unemployment Taxes Paid in 1995	\$60,729
State Withholding Taxes Remitted in 1995	Approx. \$531,000

REAL ESTATE & PERSONAL PROPERTY TAXES

State & County Taxes Paid on Company Real Estate	Approx. \$96,000
Personal Property Taxes Paid on Equipment, Furniture, Fixtures, etc.	Approx. \$35,000

MITSUBISHI
MOTOR SALES OF AMERICA, INC.

DEALER SALES AND SERVICE AGREEMENT
STANDARD PROVISIONS

4A

- b. The business activities of such Related Business and the use of such Related Property including, among other things, the names of all Authorized MMSA Dealers with which such Related Business has any dealings or who use or have any interest in such Related Property, and the terms of such dealings, use and interests.
3. In the event of any change in the ownership, activities or use of the Related Business or Related Property, furnish to MMSA a written report setting forth the details of such change.
4. Furnish to MMSA such other reports concerning the Related Business or Related Property as MMSA may from time to time require.
- D. Personnel
Dealer agrees that it will employ qualified personnel in such capacities and in such number as may be specified in the Dealer Development Plan or as otherwise required by MMSA.
- E. Insurance
Dealer shall obtain fire and casualty insurance issued by an insurer of recognized responsibility satisfactory to MMSA, with coverage for each occurrence and in an aggregate amount acceptable to MMSA, and providing coverage for, among other things, death, bodily injury and property damage claims which may arise in connection with Dealer's operations. Such insurance shall be maintained in full force and effect at Dealer's sole cost throughout the term of this Agreement and all extensions or renewals hereof.
- F. Maintaining Operations Open for Business
Since the transportation and maintenance needs of customers served by Dealer can be properly met only if Dealer keeps the Dealership Premises open for business, Dealer agrees to maintain its dealership operations open for business during all days and hours which are customary and lawful for such operations in the community or locality in which the Dealership Premises are located. Any unexcused failure to remain open for business during such hours in excess of five (5) consecutive business days shall constitute grounds for termination of this Agreement under Section X.B.1(a) hereof.
- G. Minimum Vehicle Inventories
Subject to the ability of MMSA to supply MMSA Vehicles ordered by Dealer, Dealer agrees that it shall, at all times, maintain the minimum inventory of MMSA Vehicles for immediate sale as set forth in the Dealer Development Plan from time to time by MMSA after consultation with Dealer. Dealer also agrees that it shall have available at all times, for purposes of showroom display and demonstration, the number of current models of MMSA Vehicles required of Dealer as determined from time to time by MMSA after consultation with Dealer. Dealer agrees to maintain all MMSA Vehicles in excellent condition at all times. Failure of Dealer to maintain the required minimum number of MMSA Vehicles shall constitute grounds for termination of this Agreement under Section X.B.2(a) hereof. Dealer recognizes that it is the goal of all MMSA Dealers to meet efficiently the needs of all customers of MMSA Products wherever located and that, although an MMSA Dealer may attempt to continually maintain its minimum inventory, occasionally its customers may request a specific MMSA Vehicle or MMSA Part or Accessory which is not currently in stock. Accordingly, Dealer agrees to use its best efforts to cooperate with other MMSA Dealers by providing them with access to information regarding its parts and MMSA Vehicle inventory and whenever possible, trading its MMSA Products to satisfy the needs of a customer of another MMSA Dealer.
- H. Signs
Subject to applicable governmental ordinances, regulations and statutes, Dealer agrees to buy or rent from MMSA or from sources designated by MMSA and to erect and maintain on the Dealership Premises, entirely at Dealer's expense, authorized sales and service signs conforming to the requirements established and approved for Dealer's use by MMSA. Dealer further agrees to obtain and maintain any licenses or permits necessary to erect such signs. Failure to obtain, erect, maintain, repair, illuminate and prominently display such signs in a manner approved by MMSA shall constitute grounds for termination of this Agreement under Section X.B.2(b) hereof.

MITSUBISHI
MOTOR SALES OF AMERICA, INC.

7

FREE-STANDING
BRAND SIGNAGE

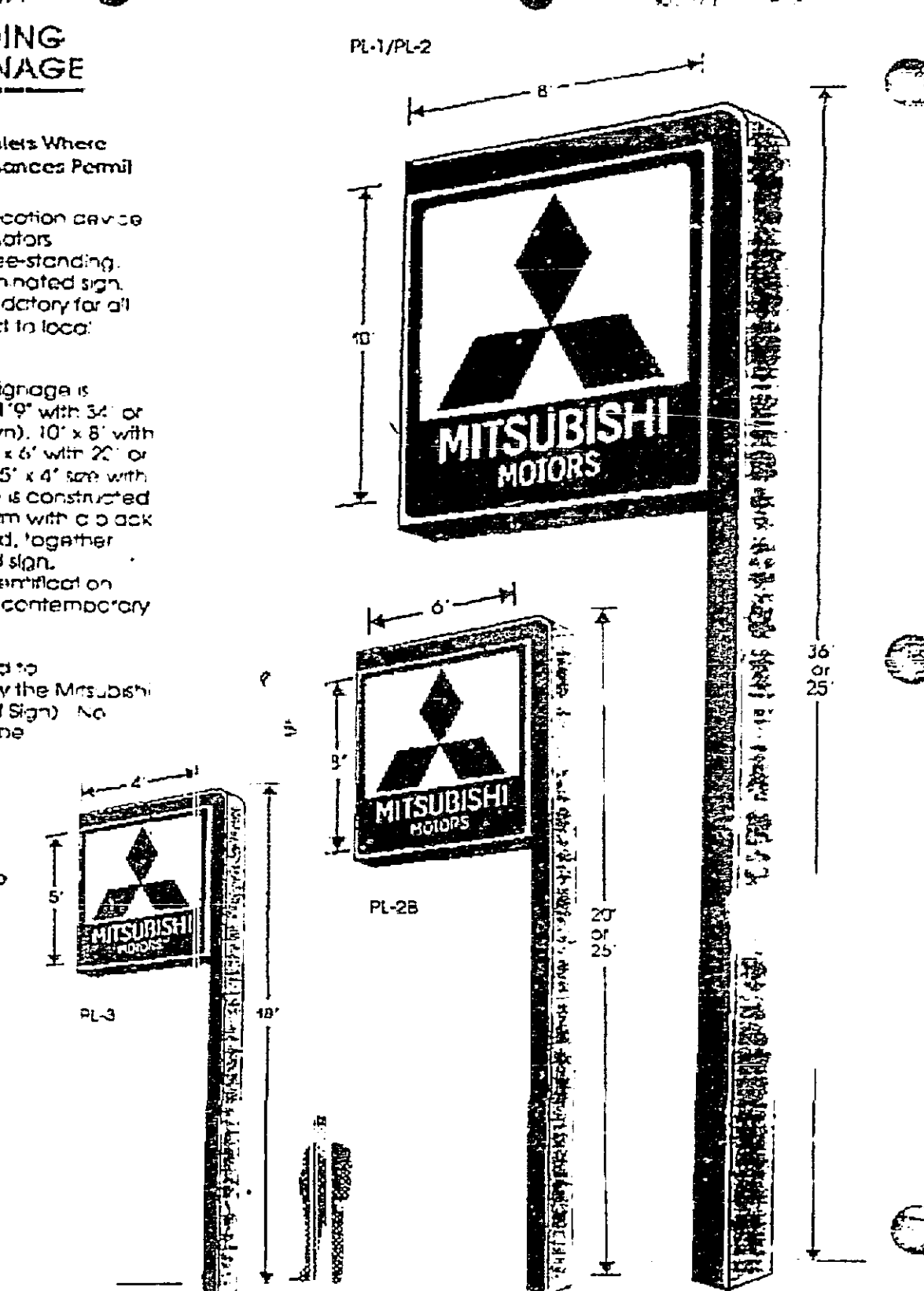
Mandatory for Dealers Where
Local Zoning Ordinances Permit

The primary identification device for the Mitsubishi Motors Dealership is the free-standing, double-sided, illuminated sign. This signage is mandatory for all Dealerships, subject to local zoning ordinances.

The free-standing signage is available in 14' x 11'9" with 32" or 40" poles (not shown), 10' x 8' with 30" or 25" poles, 8' x 6' with 20" or 25" poles, and 6' x 4' with 18" poles. The pole is constructed of brushed aluminum with a 3" x 3" inset surface and, together with the illuminated sign, combine strong identification with high quality, contemporary appearance.

The pole is designed to accommodate only the Mitsubishi Motors Logo (Brand Sign). No other signage can be attached.

* Pole heights are from ground surface to the top of the sign.



65-11-13-46 TV 65-0154

NOTICE
This material may be
protected by copyright
law (Title 17, U.S. Code)

Title 11
DEPARTMENT OF TRANSPORTATION
Subtitle 12 MOTOR VEHICLE ADMINISTRATION—
CONSUMER AFFAIRS AND BUSINESS LICENSING

Chapter 01 Dealers and Salesmen

Authority: Transportation Article, §§12-104(b), 15-102, 15-103, 15-107, 15-108, 15-114,
15-305.1, 15-307, 15-309, 15-312(b), 15-406, 15-408, 15-409, and 15-411;
Commercial Law Article, §§4-1602, Annotated Code of Maryland

.01 Dealer Licensing and Registration.

A. The Administration may refuse to grant a license to any person
as a dealer or may suspend, revoke, or refuse to continue the license of
a dealer already issued, unless meeting the requirements contained
here.

B. A person applying for a dealer license shall submit the applica-
tion on forms approved by the Administration, along with the fee as
set forth in COMAR 11.11.05.

.02 Location Requirements.

A. Each location shall be subject to inspection by an authorized rep-
resentative of the Administration before approval of application for
dealer registration.

B. Following approval of the application, the location shall be main-
tained in accordance with the applicable provisions of Transportation
Article, Annotated Code of Maryland, and the regulations promul-
gated by the Administration. Licensees are subject to reinvestigation
by authorized representatives of the Administration.

C. Only one license for the type of vehicles being offered for sale
will be permitted at any one location, and once the location has been
licensed, it may not be subdivided for the purpose of establishing
other businesses, under separate licenses for the same type of vehicles
being offered for sale, without the prior approval of the Administra-
tion. This prohibition also applies to a licensee doing business under
more than one corporate structure.

D. A dealer may do business in a name or under any title or desig-
nation other than the corporation name, provided that the title or

Supp. 15

EDWIN S. HOWE III
Project Manager

Professional Engineer, Maryland Registration No. 20229

B.S. Civil Engineering (1988)
Georgia Institute of Technology

Masters of Environmental Engineering
Johns Hopkins University (1996)
American Society of Civil Engineers

1986-1987 Frank Lynch & Associates
Surveying and Land Planning Berlin, Maryland

Designer/Draftsman/Instrumentman
Stormwater management, road and utility design for land development projects.

1987-1988 Plan-A-Go Construction
Atlanta, Georgia

Construction Assistant
Assistant general contractor.

1989-1995 KCW Consultants, Inc.
Civil Engineers and Land Surveyors
Baltimore, Maryland

Project Manager
Design and coordination for residential, commercial, industrial, municipal and
institutional land development, encompassing utility design, site planning, stormwater
management, sediment control and flood plain analysis applying a working knowledge
of AutoCad and other pertinent trade microcomputer software. Communications and
correspondence with clients and all Federal, State and Local agencies. In addition,
permit and variance acquisition for all development, zoning and environmental impacts
and violations which can include, but are not limited to wetland and forest stand
delineations, environmental site assessments and expert testimony at zoning hearings.

SEP-30-96 MCN 16:17

410-281-1495

P.01

Appellee demonstrated before the Board, through Exhibits
11-20, a series of zoning decisions granting variances for the
height and size of signs throughout the County for automobile
dealerships. The closest location among that group was diagonally
across Reisterstown Road from the subject property. If the
community wishes to have sign regulations changed, the avenues for
such action are certainly available through the political process,
but new development should not be burdened with restrictions which
were not imposed upon similar uses, some located quite nearby.

Section 307 (Variances) of the Baltimore County Zoning
Regulations provides, *inter alia*, that variances are to be granted
"only in such manner as to grant relief without substantial injury
to public health, safety, and general welfare." In an effort to
show compliance with that standard, the Board was referred to the
current Baltimore County Master Plan as an expression of official
public policy embodying those elements (7.146). The specific goals
and recommendations enunciated there are as follows:

Commercial Redevelopment

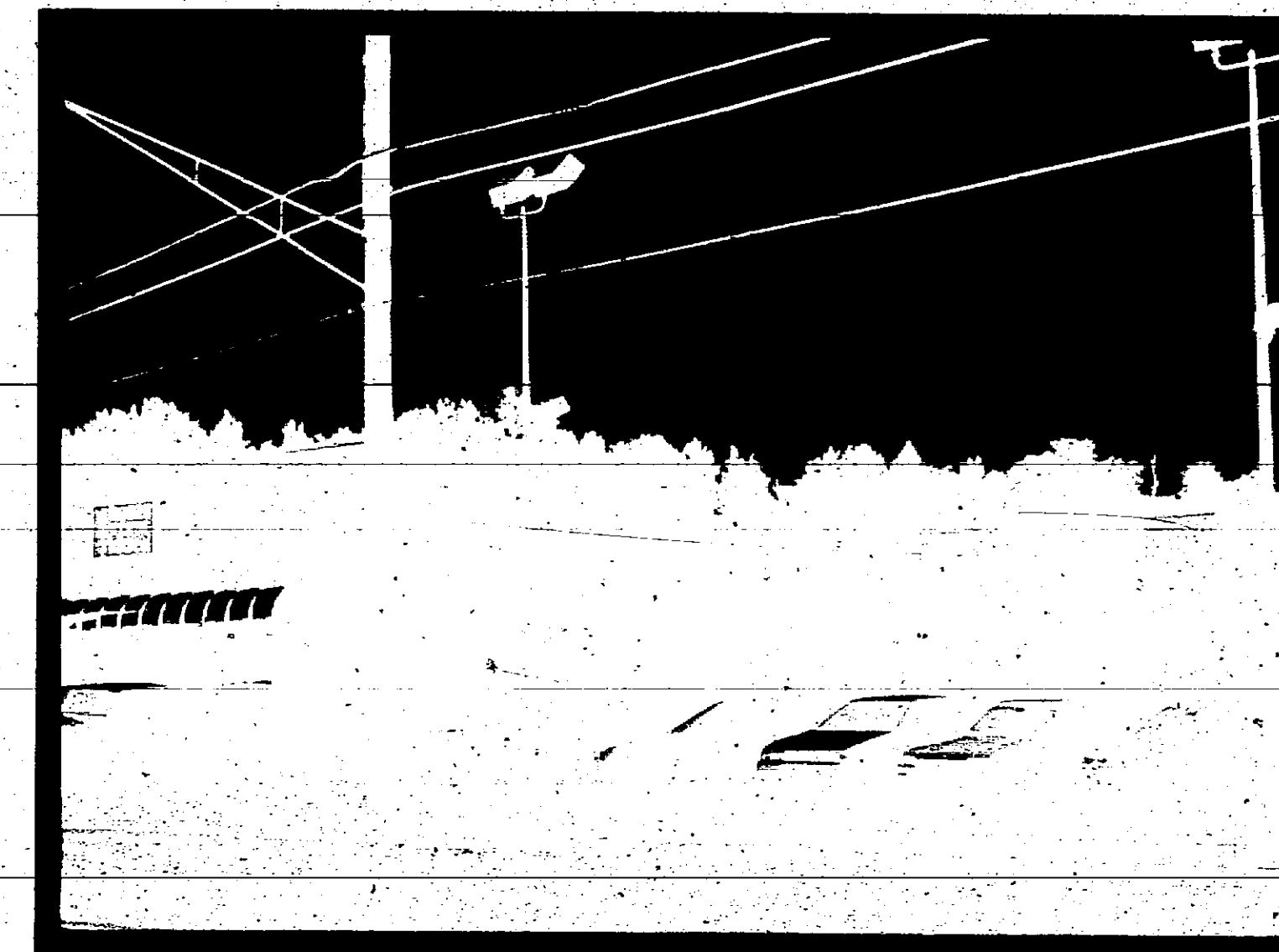
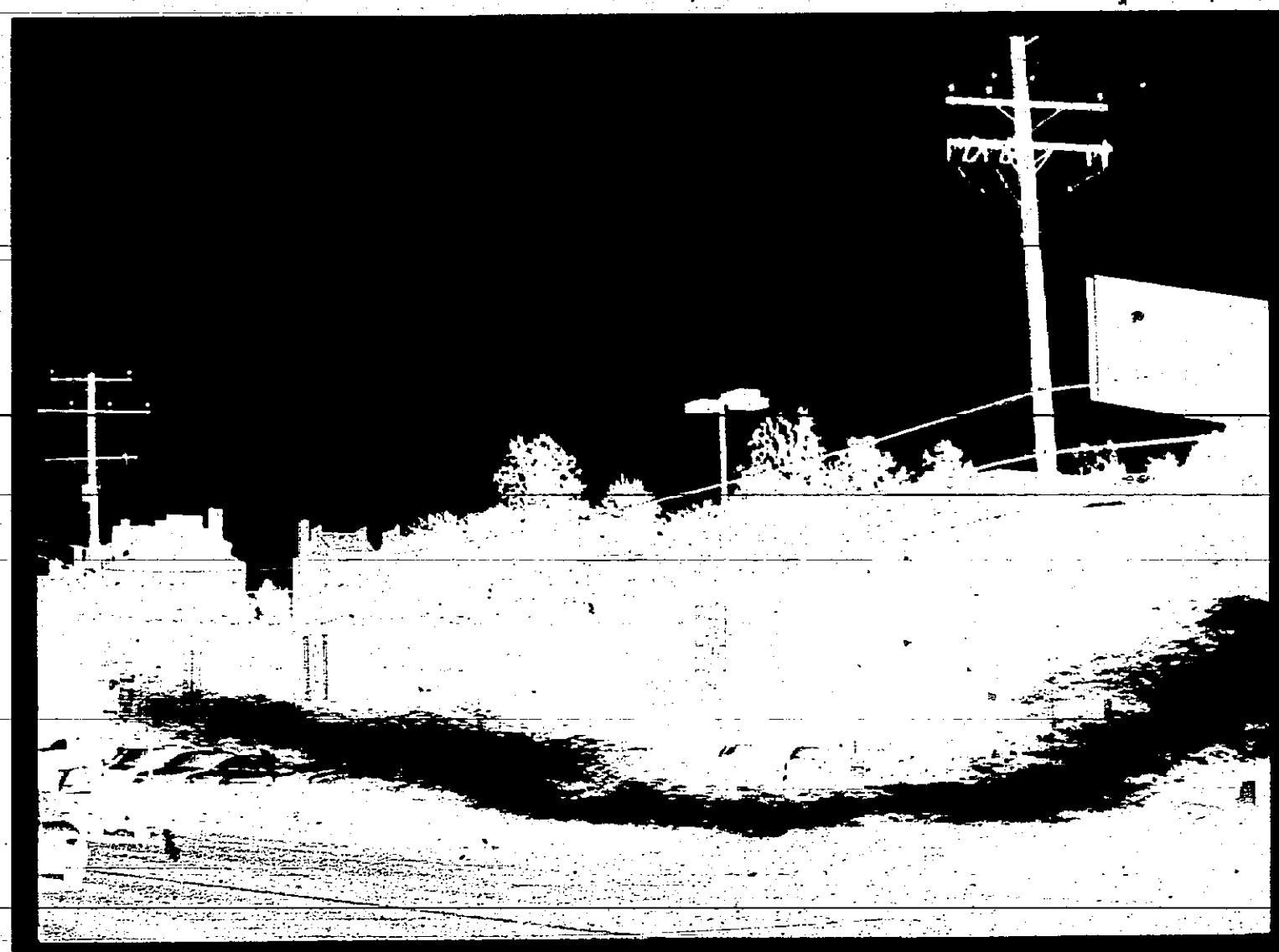
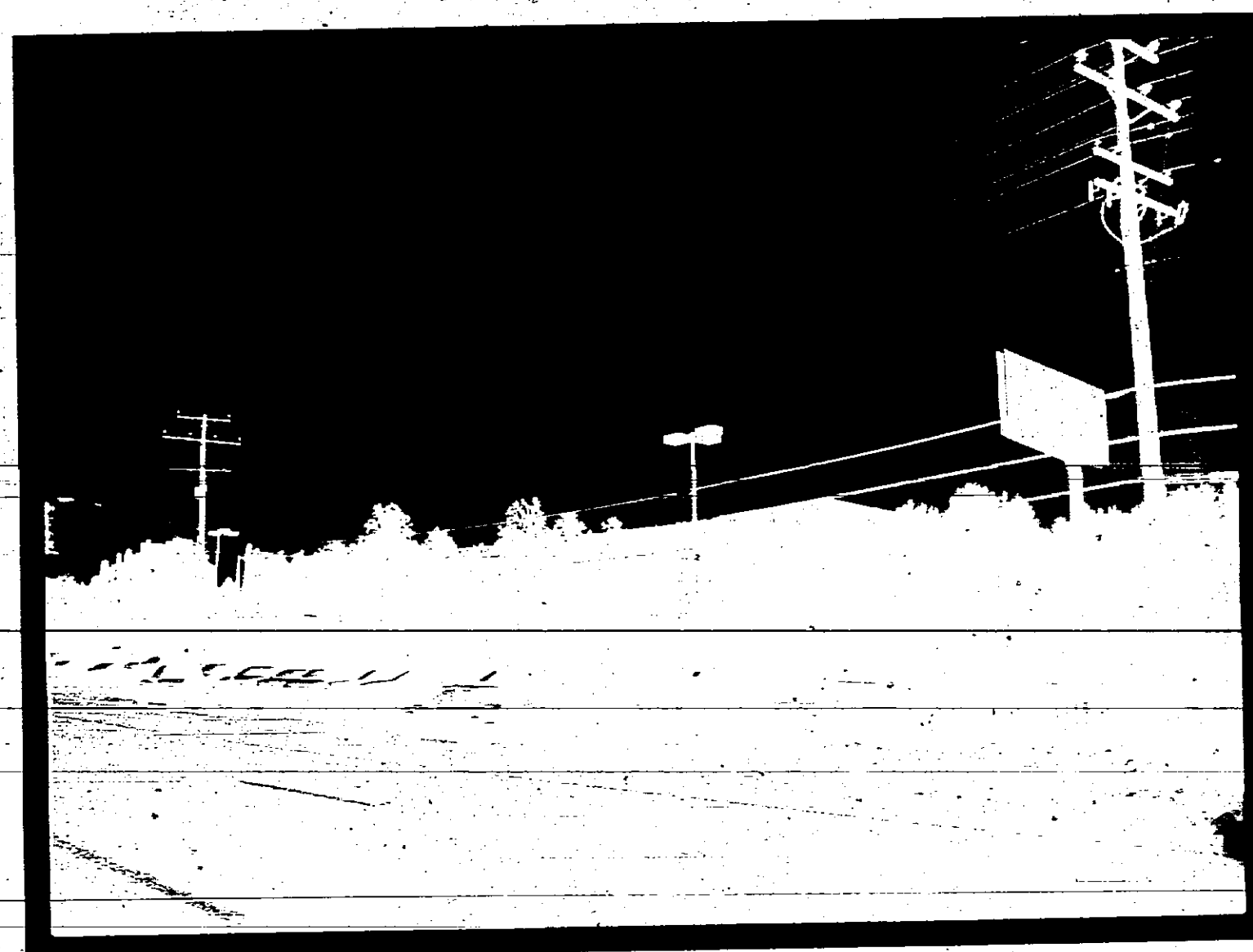
As vacant land prices increase, redevelopment of
older underutilized parcels in areas already served by
public facilities becomes an attractive alternative.

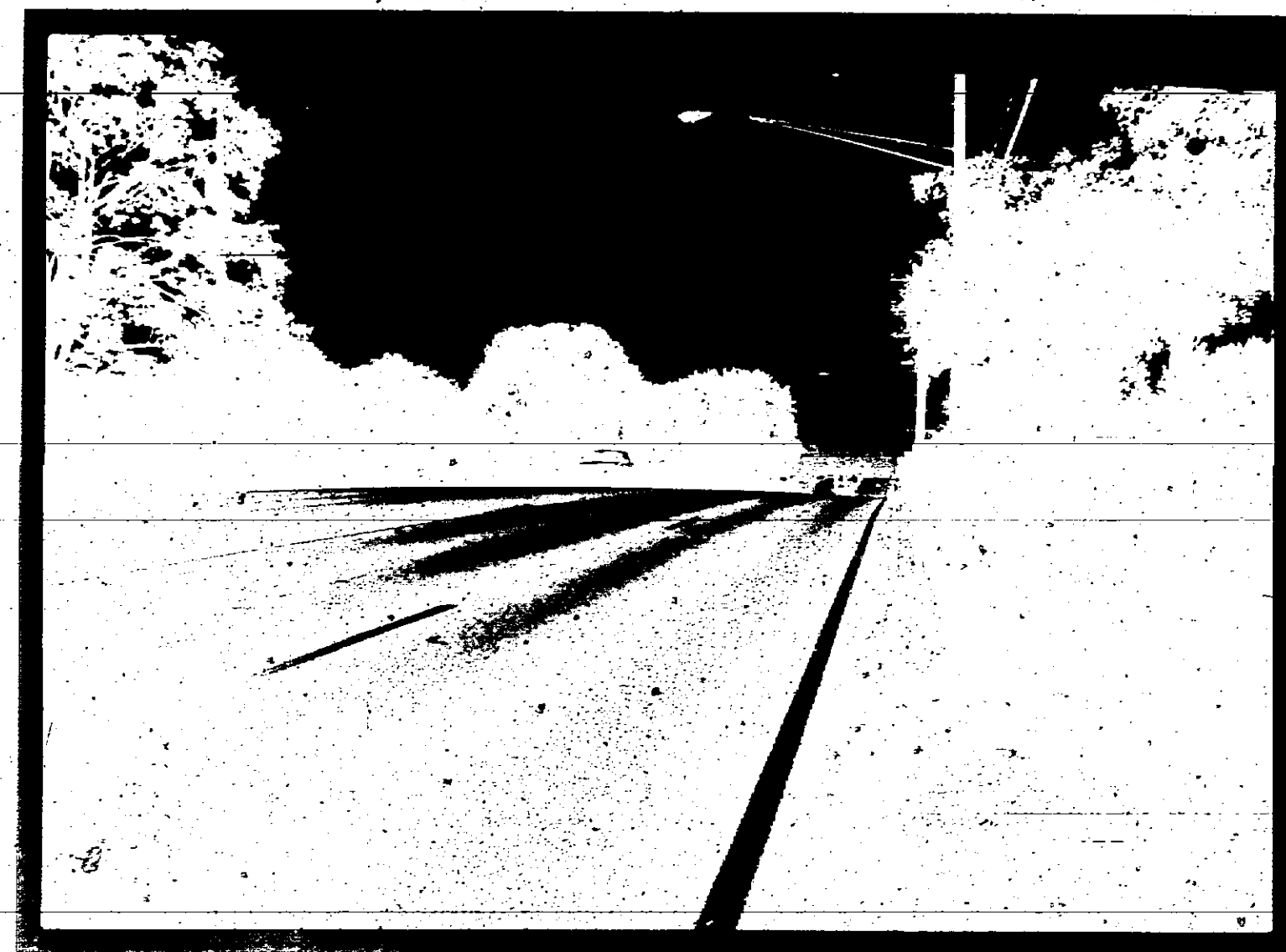
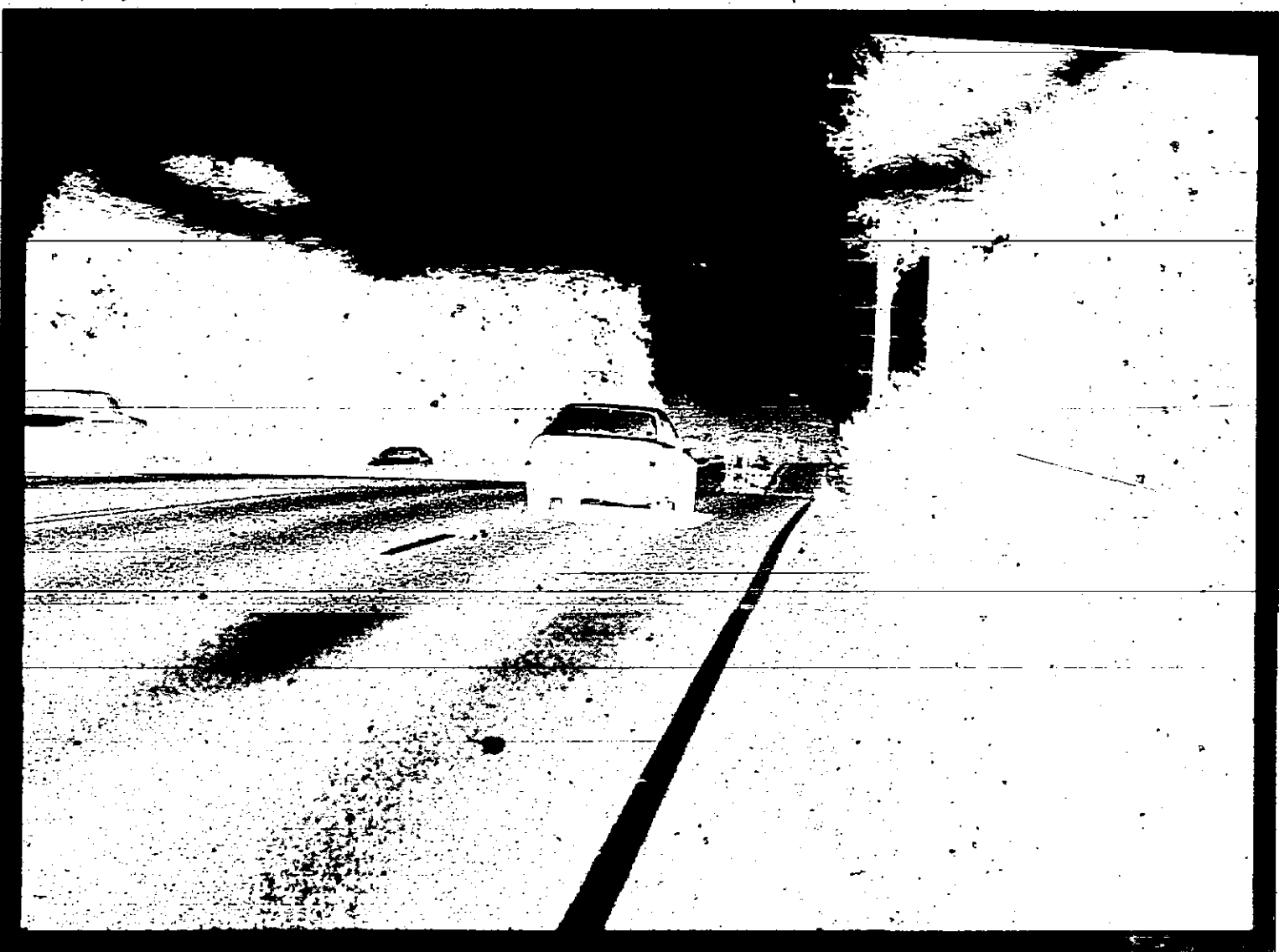
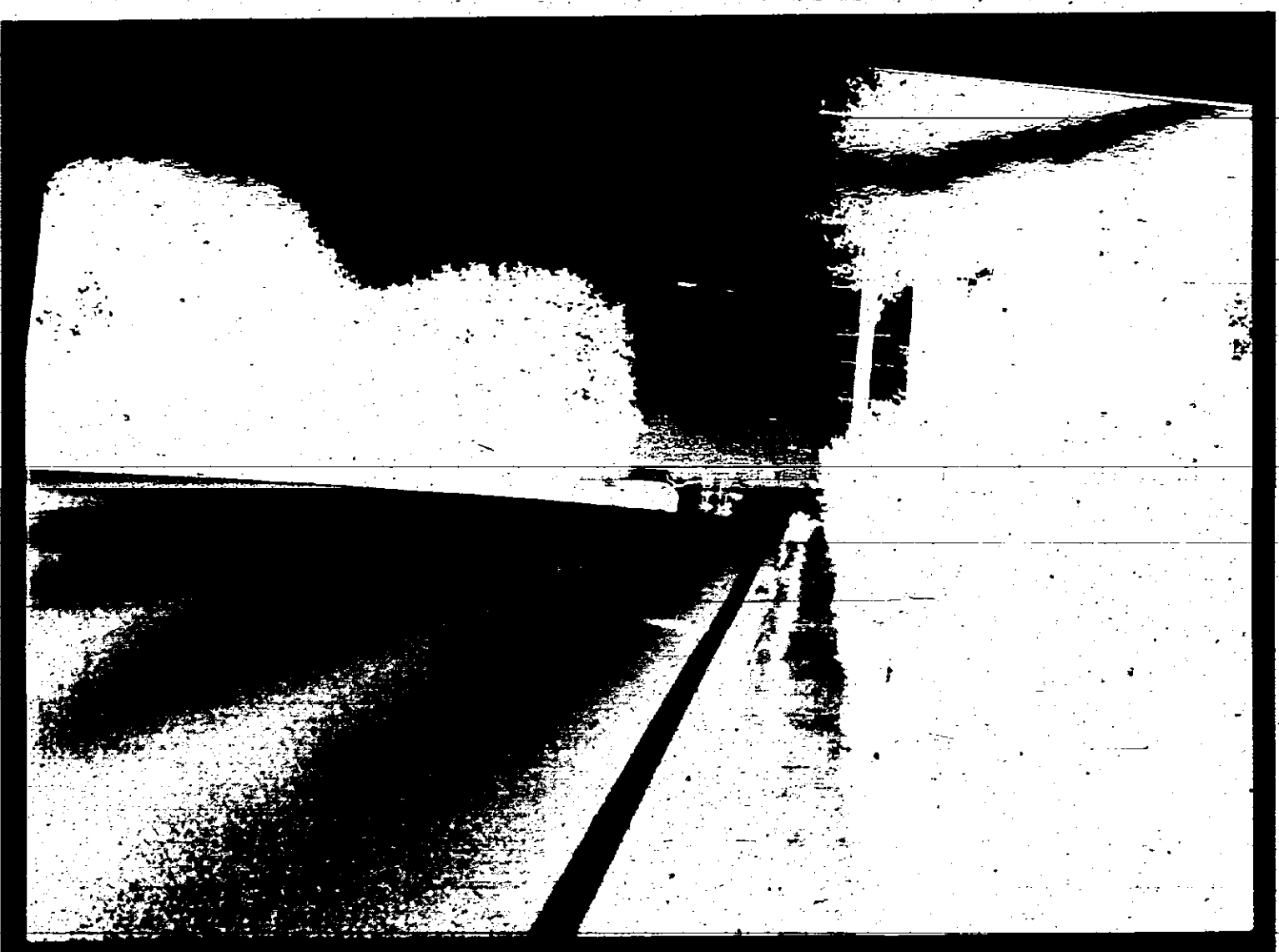
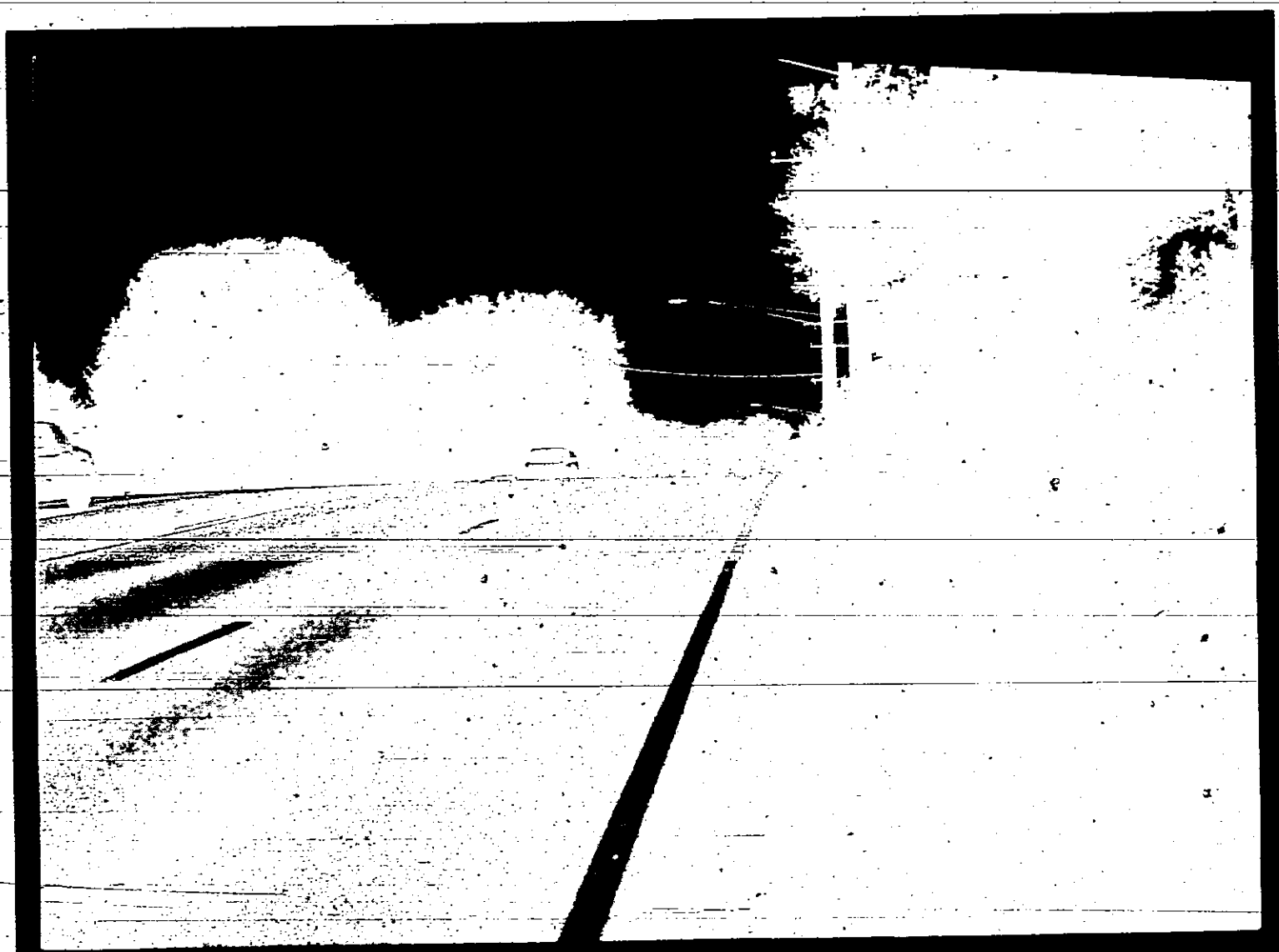
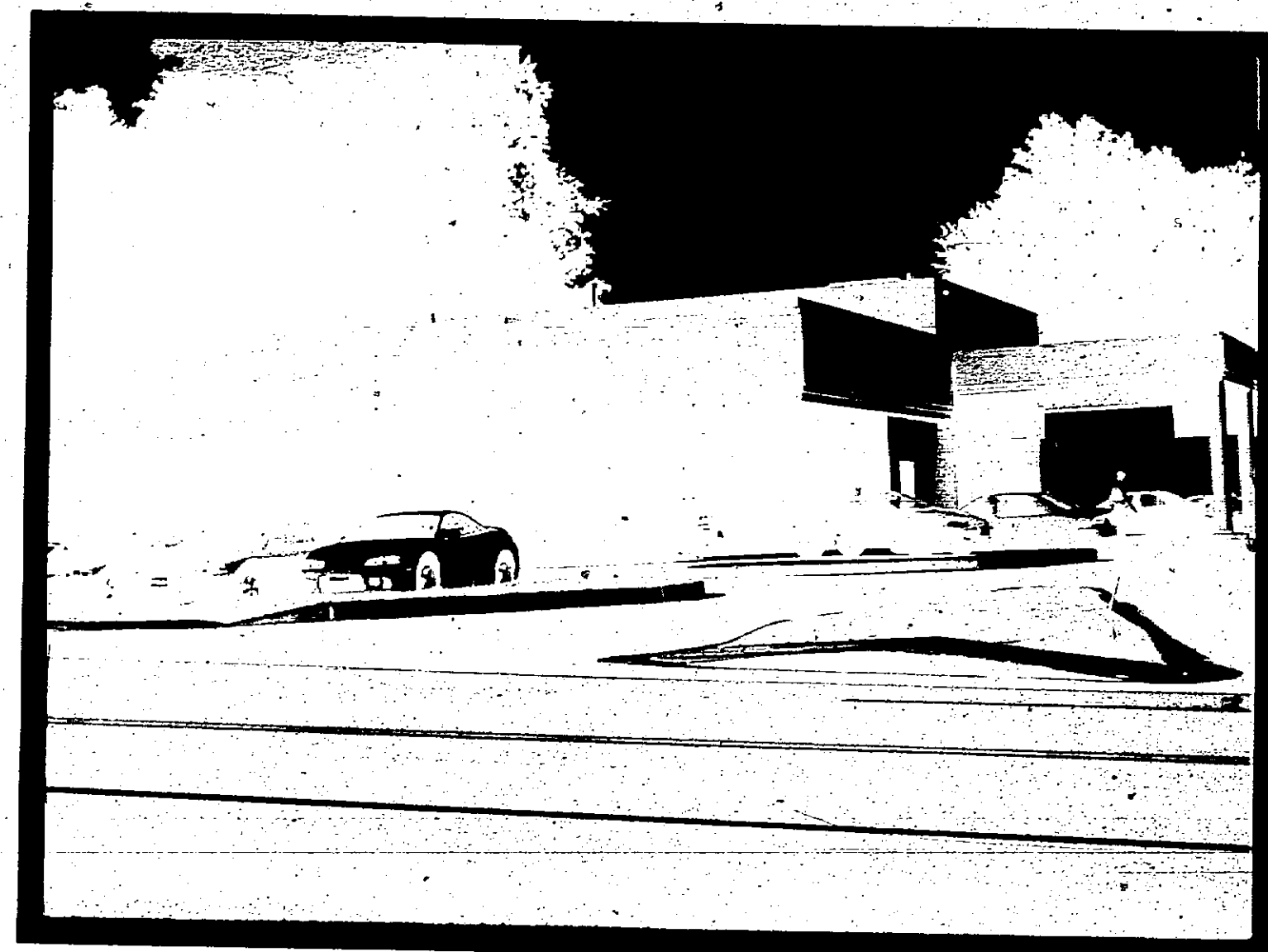
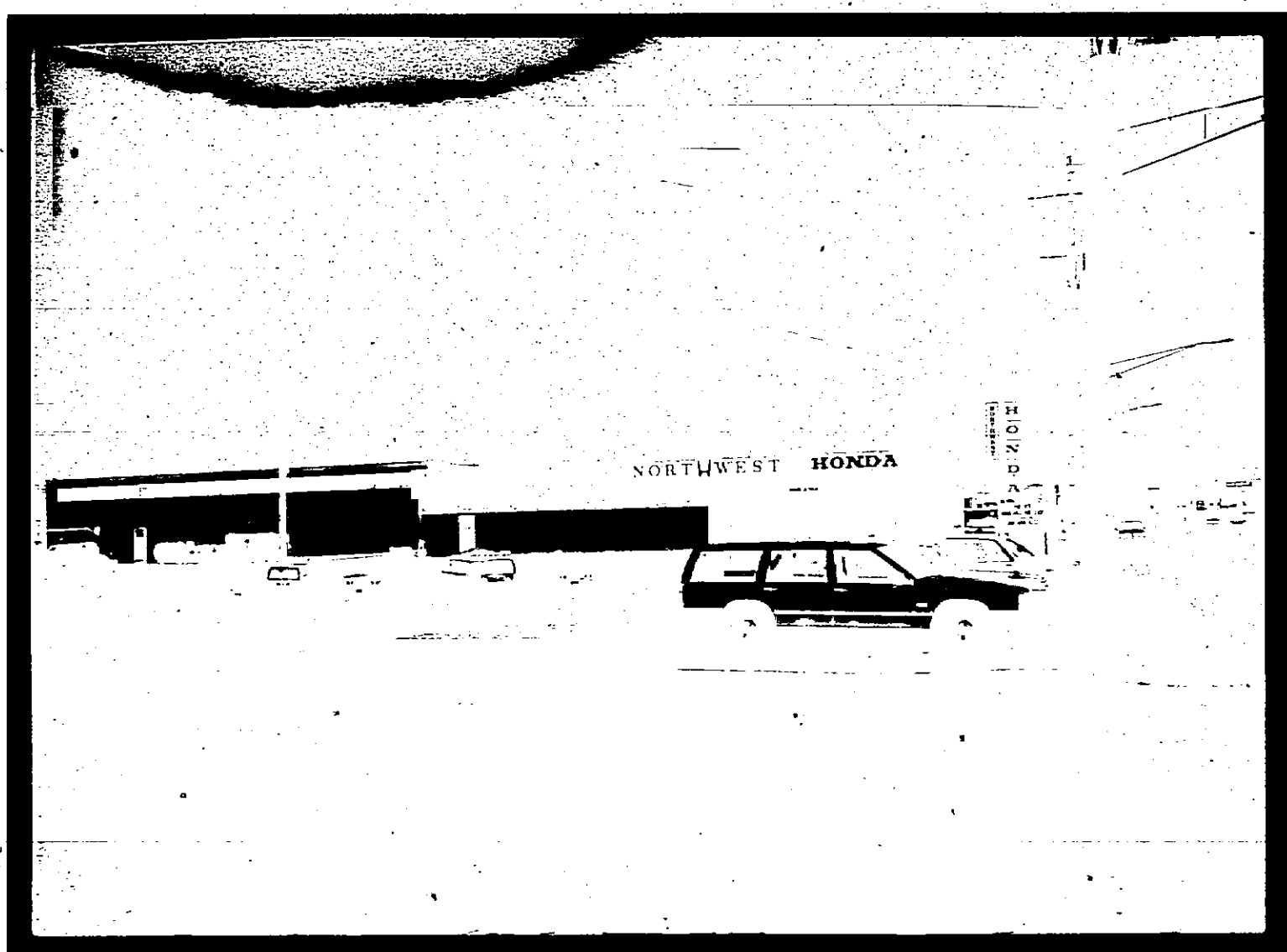
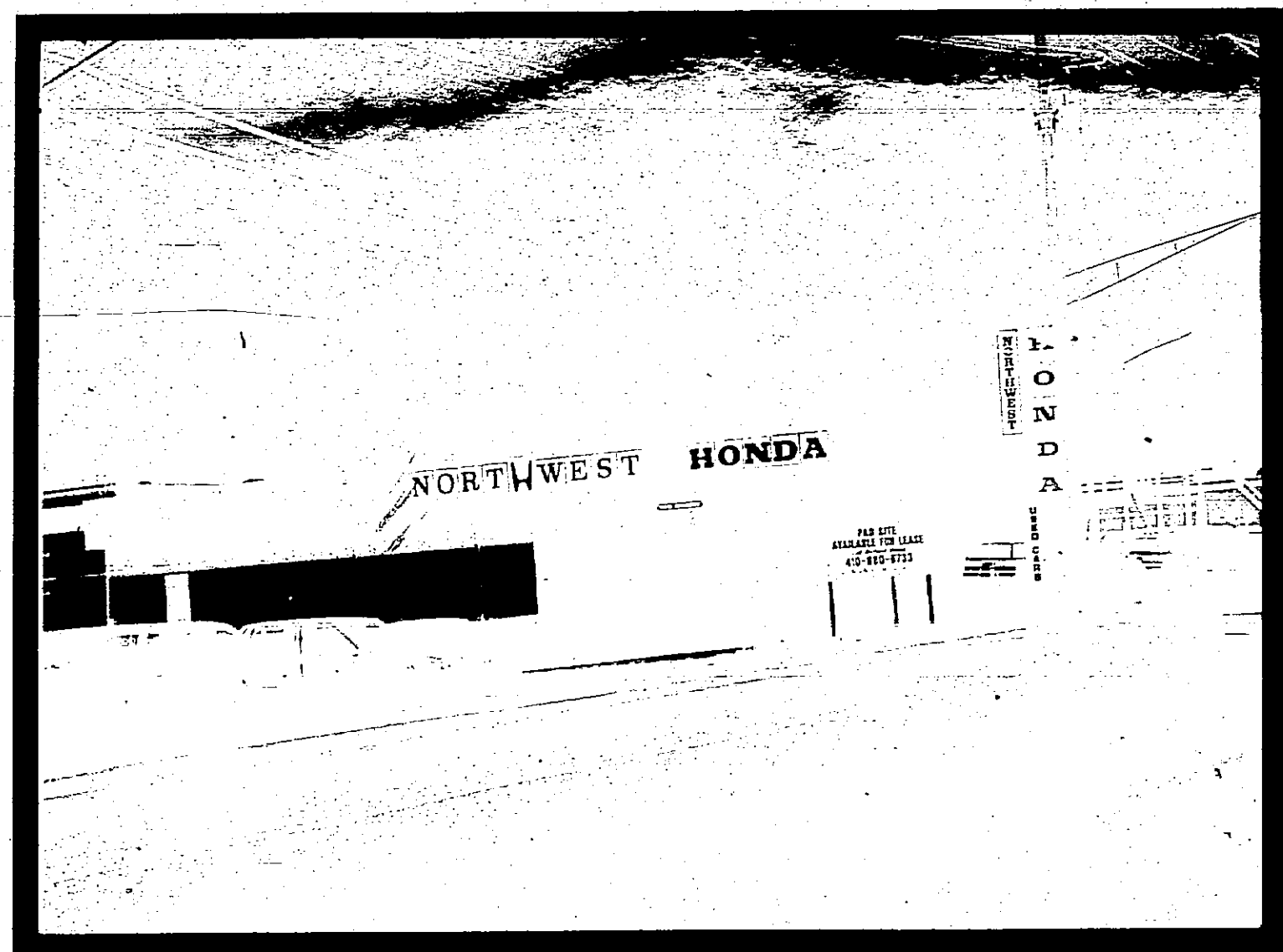
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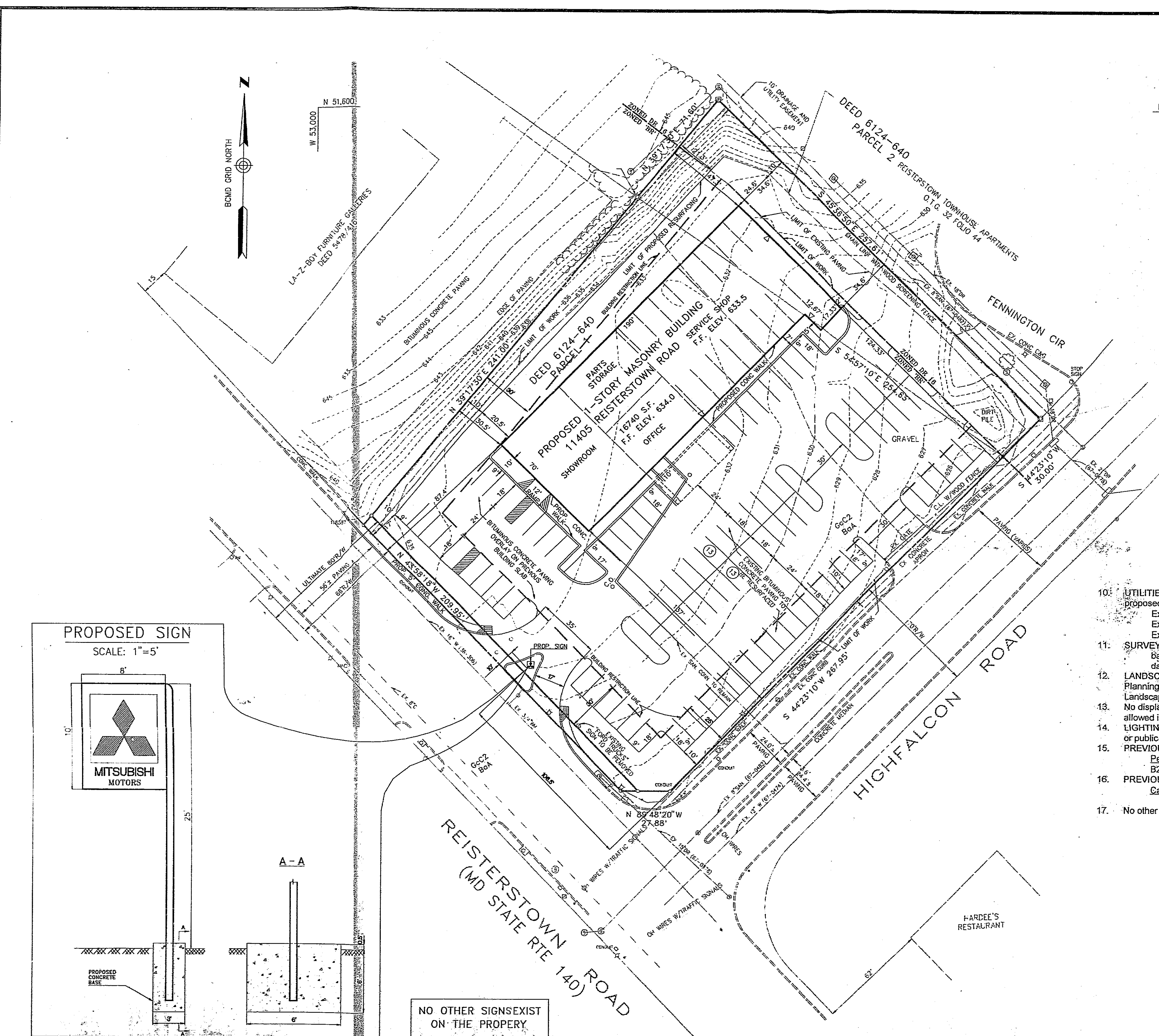
Western Sector

In marked contrast to the rural western fringe of
this sector is the new urban center dramatically emerging
between the Liberty Road and Reisterstown Road corridor.
The Outer Edge Growth Area was formally designated in
the 1975 Master Plan. Subsequently, a detailed study was

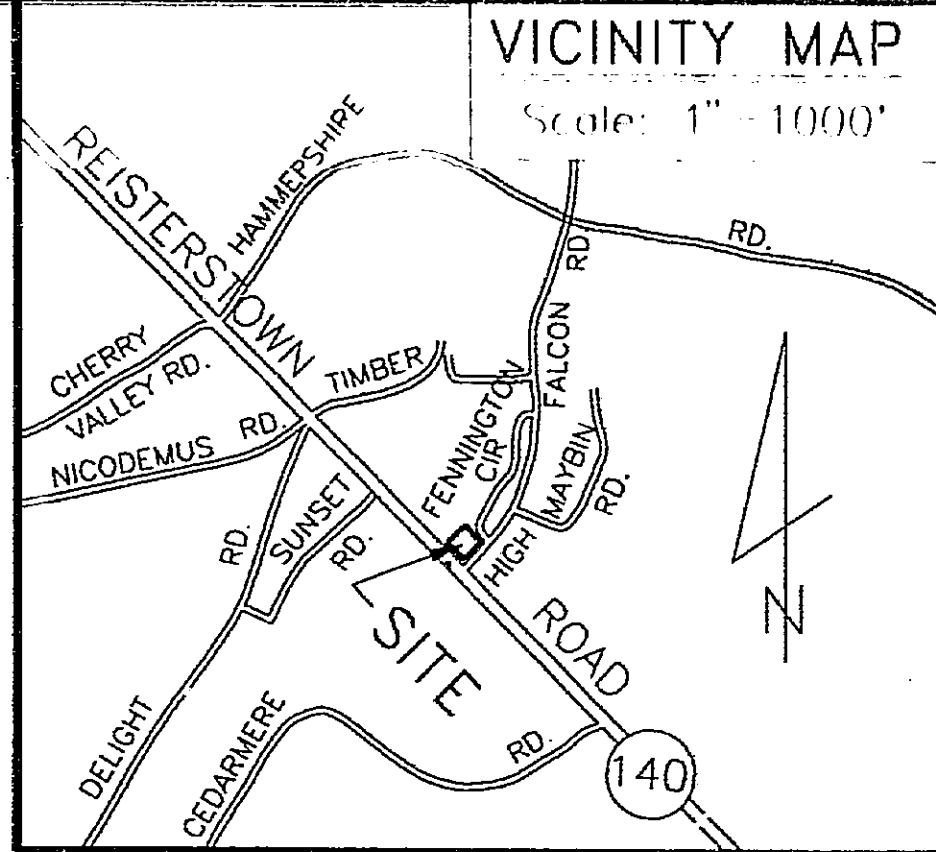
Pitcher's
Photo 1
photograph
97-84 A







BENCHMARK
BALTO. HUB NO. 13788 EL. 627.57
R.R. SPIKE IN MAC. ON
S.W. SIDE REISTERSTOWN ROAD
OPP. HIGH FALCON RD. & DR.
TO FAIRWAY MOTORS.



97-84-A

GENERAL NOTES

- DEVELOPER: Len Stoler, Inc.
11275 Reisterstown Road
Owings Mills, Maryland 21117
Tele. (410) 356-7000
- OWNER: John F.W. Seymour and J. Temple Smith, Trustees
22 W. Allegheny Avenue
Towson, Maryland 21204
- DEED REFERENCE: 6124-640
AREA: 1.5 ac.
TAX ACCOUNT NO.: #0419027200 and #0419027201
TAX MAP: No. 58, Parcel 528
ELECTION DISTRICT: 4
COUNCILMANIC DISTRICT: C3
CENSUS TRACT: 4042.01
REGIONAL PLANNING DISTRICT: 306B
SUBSEWERSHED: 67
WATERSHED: 27 (Gwynns Falls)
ZONING: 'BR' (1.6 ac.) and 'D.R.' 16' (0.2 ac.)
EXISTING LAND USE: New and used automobile sales and service.
PROPOSED LAND USE: Raze existing building and construct new 16,740 sq. ft. building for new and used automobile dealership providing sales and service.
- BUILDING SETBACKS (within 'BR' zone):

	REQUIRED	PROPOSED
FRONT YARD: (Sect. 238.1)	25'	87'
SIDE YARD: (Sect. 238.2)	30'	31'
REAR YARD: (Sect. 238.2)	30'	34'
- PARKING:
REQUIRED CUSTOMER PARKING:

Showroom	3,080 s.f. x 5/1000 = 15.4 p.s.
Parts Storage	4,885 s.f. x 3.3/1000 = 16.1 p.s.
Business Offices	1,705 s.f. x 3.3/1000 = 5.6 p.s.
Shop and Service Area	7,070 s.f. x 3.3/1000 = 23.3 p.s.
Total Building Area	16,740 s.f.
Total Required Customer Parking Spaces	= 61 p.s.

PROPOSED CUSTOMER PARKING:

Shop Area (Service Bays)	16 p.s.
On-Site (Non-blocked)	45 p.s. (incl. 3 H.C.)
Total Provided Customer Parking	61 p.s.

OTHER PROPOSED PARKING:

Employee Parking	23 p.s.
Car Display Parking	30 p.s.
Total Other Parking	53 p.s.

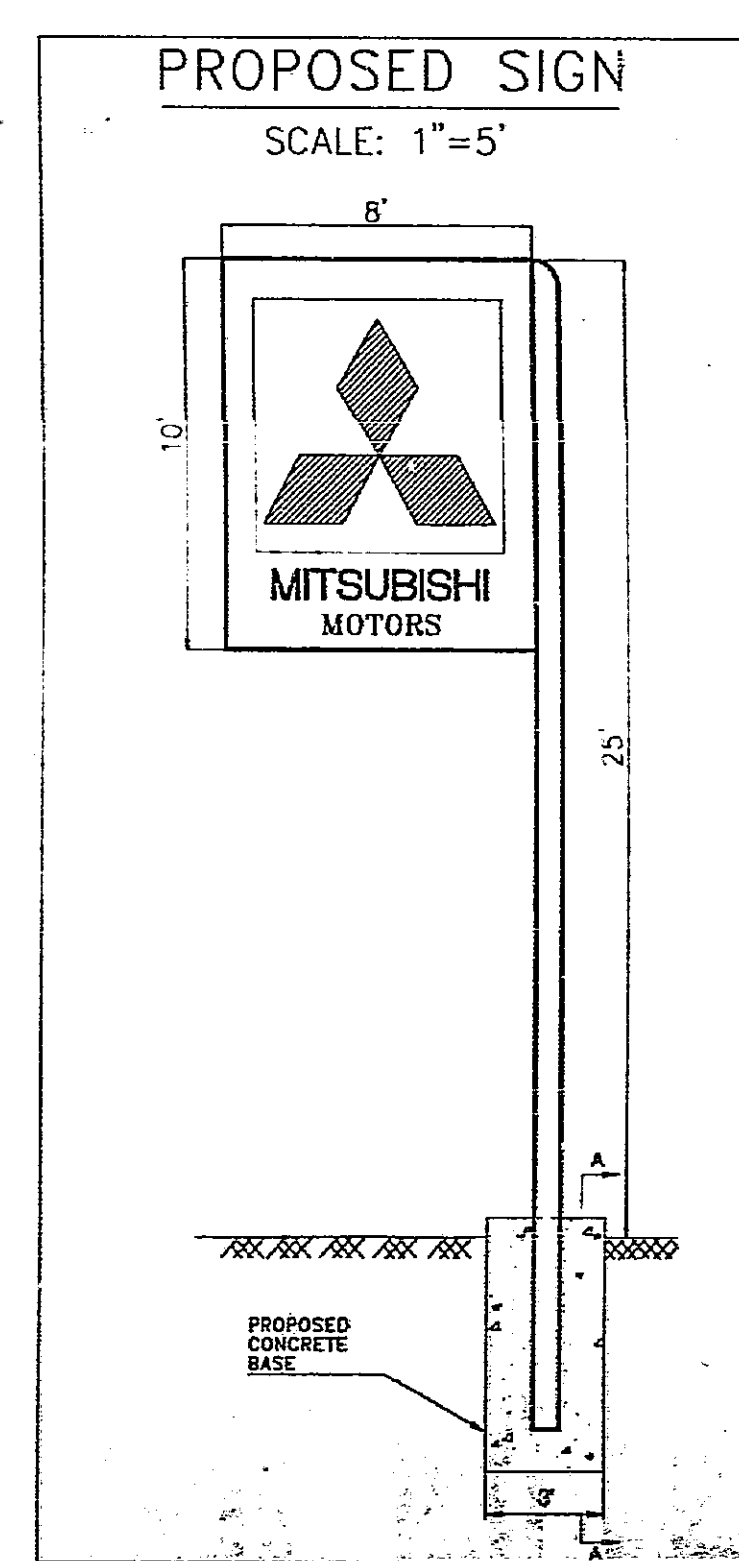
Typical parking spaces shall be 9' x 18'. Parking areas will be paved with bituminous concrete and will be permanently striped.
- FLOOR AREA RATIO:
Bldg. Area = 16,740 s.f. Site Area = 78,300 s.f.
F.A.R. = 16,740 / 78,300 = 0.2 < 2.0

GENERAL NOTES (CONT.)

- UTILITIES: Public utilities exist adjacent to the site to serve the proposed improvements.
Existing Water (Dwg. No. 36-0308)
Existing Sanitary (Dwg. No. 67-0482)
Existing Storm Drain (Dwg. No. 67-0478)
- SURVEYS: Existing topography and property lines shown hereon are based upon field surveys prepared by KCW Consultants, Inc., dated August 1995.
- LANDSCAPE: A Landscape Plan shall be approved by the Office of Planning and Department of Public Works in accordance with the Landscape Manual.
- No display of automobiles, banners, temporary signs, etc. shall be allowed in any landscape areas adjacent to public rights-of-way.
- LIGHTING: Lighting shall not be directed toward residential properties or public rights-of-way.
- PREVIOUS COMMERCIAL BUILDING PERMITS:

Permit Number	Description
B253736	Building for sales & service
- PREVIOUS ZONING CASES:

Case Number	Description
1465 - T	Permit for sign granted July 24, 1949.
- No other signs exist on the property.



NO OTHER SIGNSEXIST ON THE PROPERTY

PETITIONER'S EXHIBIT 10
PRINT DATE
AUG 13 1996
KCW CONSULTANTS, INC.

VARIANCE REQUESTED
REQUEST VARIANCE FROM B.C.Z.R. SECTION 413
TO ALLOW DOUBLE SIDED 160 SQ.FT. SIGN IN LIEU
OF THE ALLOWABLE 100 SQ.FT. SIGN.

PLAN TO ACCOMPANY PETITION FOR SIGN VARIANCE

"LEN STOLER @ HIGH FALCON"
#11405 REISTERSTOWN ROAD
OWINGS MILLS, MARYLAND 21117
4TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND
ITEM # 81

KCW Consultants, Inc. Engineers and Land Surveyors 3104 Timanus Lane Suite 101 Baltimore, Maryland 21244 (410) 281-0033		DEVELOPER LEN STOLER, INC. 11275 REISTERSTOWN ROAD Owings Mills, Maryland 21117 Attn: LEN STOLER Tel: 410-356-7000	OWNER JOHN R.W. SEYMOUR AND J. TEMPLE SMITH, TRUSTEE 22 W. ALLEGHENY AVENUE TOWNSON, MARYLAND 21204 DEED REF: 6124/640	REVISIONS		KCW J.O. 95205
				DATE	DESCRIPTION	SCALE 1"=30'
						DATE JULY 8, 1996
						DESIGNED NSH
						DRAWN ZMF
						CHECKED NSH
						DRAWING NO. G-1
						95205SIG.DWG

"LEN STOLER @ HIGH FALCON"

#11405 REISTERSTOWN ROAD
OWINGS MILLS, MARYLAND 21117

4TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

ITEM # 81